



ANNE R.

OUR Will and Pleasure is, and We do hereby Grant unto Our Printers *John Baskett*, and the Assigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd, Our Licence for the sole Printing and Publishing of *The ASSIENTO*; or CONTRACT for *Allowing the Subjects of Great Britain the Liberty of Importing Negroes into the Spanish America*, Sign'd by the Catholick King at Madrid, the Twenty sixth Day of March, 1713. for and during the Term of Fourteen Years. And We do hereby strictly Forbid all other Persons whatsoever to Print or Publish the same, during the Term aforesaid, without the Consent of the above-named *John Baskett*, and the Assigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd, or their Executors or Assigns, as they will answer the contrary at their Peril.

Given at Our Court at Kensington the Twentieth Day of June, 1713. In the Twelfth Year of Our Reign.

By Her Majesties Command,

DARTMOUTH.

St. Brit. Treaties, etc. 1702-1714 (Anne)

THE  
ASSIENTO;  
OR  
CONTRACT  
FOR

Allowing to the Subjects of *Great Britain*  
the Liberty of Importing NEGROES  
into the *Spanish America*.

Sign'd by the CATHOLICK KING at *Madrid*, the  
Twenty sixth Day of *March*, 1713.

By His Majesties Special Command.



L O N D O N,

Printed by *John Baskett*, Printer to the Queens most Excellent Majesty  
And by the Assigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd. 1713

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Henry Hills,  
and Publish-  
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gn'd by the  
sixth Day of  
of Fourteen  
all other Per-  
ame, during  
of the above-  
Thomas New-  
Executors or  
their Peril.  
pentietb Day  
Our Reign.  
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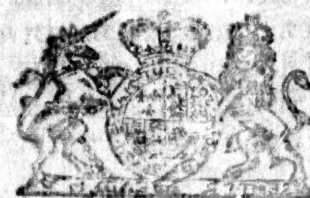
THE  
ASSISTANT  
OR  
CONTRACT  
FOR

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.A5  
1713

Allowing to the Subjects of Great Britain  
the Liberty of Importing Negroes  
into the Spanish America.

Signed by the CATHOLICK KING at Madrid the  
Twenty fifth Day of March, 1713.

By the Specialties Special Command.



LONDON:  
Printed by John Streater, Printer to the Queen's most Excellent Majesty,  
And by the Assigns of Thomas Newcomb, and Henry Hills, Decemb. 1713.

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Printed by John  
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## ASSIENTO, The ASSIENTO,

Ajustado entre las dos  
Majestades Catholica,  
y Bretanica, sobre  
Encargarle la Com-  
pañia de Inglaterra  
de la Introducion de  
Eslavos Negros en  
la America Españo-  
la, por tiempo de tre-  
inta años, que empe-  
zarán a correr en  
primero de Mayo del  
presente de mil sete-  
cientos y trece, y  
cumpliran en otro tal  
dia del de mil Setecien-  
tos y quarenta y tres.

Adjusted between Their  
*Britannick* and Catho-  
lick Majesties, for the  
*English* Company's o-  
bliging it self to supply  
the *Spanish West-Indies*  
with Black Slaves, for  
the Term of Thirty  
Years, to Commence  
on the First Day of  
*May* of this present  
Year 1713. and to  
End on the like Day  
in the Year 1743.

### EL REY.

### THE KING.

Introducion.



OR Quan-  
to aviendo  
terminado  
el Assien-  
to ajusta-  
do con  
la Compa-  
nia Real

de Guinea, establecida en  
Francia, de la introducion de  
Eslavos Negros en las Indi-  
as, y deseando entrar en esta  
dependencia la Reyna de la  
Gran Bretaña, y en su nom-  
bre la Compañia de Inglaterra,  
y en esta inteligencia estipula-



Hereas the Introducion,

Assiento A-  
greed on  
with the  
Royal Gui-  
nea Compa-  
ny, settled

in France, for the introducing  
of Negro Slaves into the In-  
dies, is determined, and the  
Queen of Great Britain being  
desirous of coming into this  
Commerce, and in Her Name  
the English Company, as is  
stipulated in the Prelimina-  
ries of the Peace, and that

B

dose

dose assi en el Preliminar de  
 la Paz, para correr con este  
 Asiento por tiempo, y espacio  
 de treinta años, puso en su  
 virtud en mis manos Don  
 Manuel Manafes Gilligan,  
 Deputado de su Magestad  
 Bretonica, un Pliego, dado  
 para este efecto, de las qua-  
 renta y dos Condiciones, con  
 que se avia de arreglar este  
 Tratado, el qual mandò reco-  
 nocer por una Junta de tres  
 Ministros de mi Consejo de  
 las Indias, para que visto por  
 ella, me dicesse lo que en  
 razon de cada capitulo, ó con-  
 dicion se le ofreciesse. Tavi-  
 endolo executado assi, y que-  
 dando de esta especulacion,  
 pendientes, y controvertibles  
 muchos puntos, lo bolví à re-  
 mitir à otra Junta, y entera-  
 do yo de todo, y sin embargo  
 de los reparos, que por ambas  
 Juntas se expusieron, siendo  
 mi animo conducir, y perfec-  
 nar este Asiento, condescen-  
 diendo, y complaciendo en él,  
 en todo lo posible, à la Reyna  
 Bretonica, he venido por mi  
 Real Decreto de doza de este  
 presente mes en admitir, y  
 aprobar las expresadas qua-  
 renta y dos Condiciones conte-  
 nidas en el citado Pliego, en  
 la forma que abaxo irán ex-  
 puestas, con mas la extension,  
 que fuera de ellas he resuelto  
 conceder motu proprio por el  
 citado Decreto à esta Compa-  
 ñia. Que todo es en la forma  
 siguiente.

this Assiento should continue  
 for the Time and Space of  
 Thirty years; Don Manuel  
 Menafes Gilligan, deputed  
 by Her Majesty of Great Bri-  
 tain, did, in pursuance thereof,  
 put into My Hands a Draught,  
 made for that purpose, con-  
 taining Forty two Articles, for  
 the regulating this Contrall;  
 which I referred to the Consi-  
 deration of a Junta of Three  
 Ministers of My Council of  
 the Indies, that upon perusal  
 thereof, they might Report to  
 Me what should occur to them  
 upon each Article or Condi-  
 tion. Which being done, and  
 several Points remaining up-  
 on this Examination unde-  
 termined and controverted,  
 I referred it back to another  
 Junta; and being fully in-  
 formed of the whole Mat-  
 ter, notwithstanding the Ob-  
 jections made by both Junts,  
 it being My Intention to Con-  
 clude and Finish this Assiento,  
 with all possible Condescension  
 and Complacency towards the  
 Queen of Great Britain. I have  
 thought fit, by My Royal Decree  
 of the Twelfth of this present  
 Month, to Admit and Approve  
 of the said Forty two Arti-  
 cles, contained in the foremen-  
 tioned Draught, in the man-  
 ner hereafter specified, with  
 the Enlargement, which over  
 and above I have of My own  
 free Will, resolved to Grant  
 to the said Company by My  
 said Decree. All which is in  
 the manner following.

I. Pri-

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 S. M.  
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## ASIENTO.

S. M. B. se obliga, por las personas que se nombrará, de introducir en la América 1440 Piezas de Indias, en el tiempo de treinta años, que han de empezar a correr en primero de Mayo de 1713.

## I.

**P**rimera, que para procurar por este medio una mutua, y reciproca utilidad à las dos Magestades, y Vassallos de ambas Coronas, ofrezca, y se obliga su Magestad Britanica por las personas, que nombrará, y señalará para que corran, y se encarguen de introducir en las Indias Occidentales de la America, pertenecientes à su Magestad Catholica, en el tiempo de los dichos treinta años, que darán principio en primero de Mayo de mil setecientos y treze, y cumpliran en otro tal dia del que vendrá de mil setecientos y quarenta y tres; es à saber, ciento y quarenta y quatro mil Negros, piezas de Indias, de ambos sexos, y de todas edades, à razon en cada uno de los dichos treinta años de quatro mil y ochocientos Negros piezas de Indias, con la calidad, que las personas que passaren à las Indias à cuidar de las dependencias del Asiento, eviten todo escandalo; porque si lo dieren serán processados, y castigados en la misma forma que lo serian en España, si los tales delitos se cometiesen aqui.

## I.

**F**irst then, to procure by this means, a mutual and reciprocal Advantage to the Sovereigns and Subjects of both Crowns, Her *British* Majesty does Offer and Undertake for the Persons, whom She shall Name and Appoint, That they shall Oblige and Charge themselves with the bringing into the *West-Indies* of America, belonging to His Catholick Majesty, in the Space of the said Thirty Years, to Commence on the First Day of *May*, One thousand seven hundred and thirteen, and Determine on the like Day, which will be in the Year One thousand seven hundred and forty three, *viz.* One hundred and forty four thousand Negroes, *Piezas de India*, of both Sexes, and of all Ages, at the Rate of Four thousand and eight hundred Negroes, *Piezas de India*, in each of the said Thirty years, with this Condition, That the Persons who shall go to the *West-Indies* to take care of the Concerns of the Asiento, shall avoid giving any Offence, for in such Case they shall be Prosecuted and Punished in the same manner, as they would have been in *Spain*, if the like Misdemeanors had been committed there.

## ASIENTO.

Her *Britannick* Majesty does Oblige Her self, for the Persons whom She shall appoint, to introduce 1440000 Negros (*Piezas de India*) into the *Spanish America*, within the Space of Thirty Years, to begin on the First of *May*, 1713.



## II.

Pagará a razon de treinta y tres pesos escudos, y vn tercio de otro de cada pieza de Indias, no siendo viejos, ni con defectos, por todos, y qualesquier derechos; y si algunos cobraren los Ministros, se avran de abonar, constando por testimonio.

## II.

Que por cada Negro, pieza de Indias, de la medida regular de siete quartas, no siendo viejos, ni con defectos, segun lo practicado, y establecido hasta aqui en las Indias, pagarán los Assentistas treinta y tres pesos escudos de plata, y vn tercio de otro, en cuya cantidad se han de entender, y serán comprehendidos todos, y qualesquiera derechos, assi de Alcavala, Sisa, Union de Armas, Boquerón, como otros qualesquiera de entrada, y Regalia, que estuviesen impuestos, o en adelante se impusieren pertenecientes a su Magestad Catholica, sin que se pueda pedir otra cosa; y que si algunos se cobrasen por los Governadores, Oficiales Reales, u otros Ministros, se ayan de abonar a los Assentistas en cuenta de los derechos que huvieren de pagar a su Magestad Catholica de los dichos treinta y tres pesos escudos de plata, y vn tercio de otro, en virtud de testimonio autentico, el qual no ha de poder negar ningun Escrivano a quien se pida por parte de los Assentistas, a cuyo fin se ha de expedir Cedula General, en la mas amplia forma.

## II.

That for each Negro, Piece of India, of the regular Standard of Seven Quarters, not being old or defective, according to what has been practised and established hitherto in the Indies, the Assentists shall pay Thirty three Pieces of Eight (Escudos) and One third of a Piece of Eight, in which Sum shall be comprehended, all and all manner of Duties of Alcavala, Siza, Union de Armas, Boqueron, or any other Duty whatsoever, of Importation or Regalia, that now are, or hereafter shall be imposed, belonging to His Catholick Majesty, so that nothing more shall be demanded; and if any should be taken by the Governors, Royal Officers, or other Ministers, they shall be made good to the Assentists, on account of the Duties which they are to pay to His Catholick Majesty of 33  $\frac{1}{3}$  Pieces of Eight, as aforesaid, the same being made appear by an Authentick Certificate, which shall not be denied by any Publick Notary, thereunto required on the part of the Assentists; for which purpose a General Order (Cedula) shall be issued in the most ample form.

## II.

There shall be paid for all and all manner of Duties for the said Blacks, after the Rate of 33  $\frac{1}{3}$  Pieces of Eight, Escudos, for each Piece (not being old or defective) and if any further Duties should be taken by the Officers, the same appearing by Certificate, shall be made good.

## III. Que

II.

negro, *Pieza* There shall be paid for all and all manner of Duties for the said Blacks, after the Rate of 33 Pieces of Eight, *Escudos*, for each *Pieza* (not being old or defective) and if any further Duties should be taken by the Officers, the same appearing by Certificate, shall be made good.

*Alcavala*, *Armas*, *Bo* other Duty Importation now are, or imposed, Catholick it nothing demanded; and be taken Royal Of Ministers, de good to account of a they are Catholick Maje- of Eight, as same being an Authen- which shall any Pub- unto requi- the Assien- purpose a (*Cedula*) the most

III.

Anticipara 2000. pesos en dos pagas iguales, de dos en dos meses, para extinguirlos en los diez años vitimos a 2000. pesos en cada vno, del producto de los derechos.

III.

Que los dichos Assientistas anticiparán a su Magestad Catholica, para ocurrir a las urgencias de su Corona, dozientos mil pesos escudos, en dos pagas iguales, a razon de cien mil pesos cada vna, la primera dos meses despues que su Magestad aya aprobado, y firmado este Assiento; y la segunda cumplidos otros dos meses despues de la primera; cuya cantidad, assi anticipada, no han de poder reembolsar hasta que se ayan cumplido los veinte años primeros de este Assiento, quando podrán hazerlo prorrateadamente en los diez restantes, y vitimos, a razon de veinte mil pesos en cada vno, del producto del derecho de las piezas, que debieren satisfacer en dichos años.

III.

That the said Assientists shall advance to His Catholick Majesty, to supply the urgent Occasions of the Crown, Two hundred thousand Pieces of Eight (*Escudos*) in Two even Payments of One hundred thousand Pieces of Eight each, the First to be made Two Months after His Majesty shall have Approv'd and Sign'd this Assiento; and the Second at the end of two other Months next after the First Payment; which Sum so advanced, is not to be reimbursed before the end of the First Twenty Years of this Assiento, and then it may be deducted by equal Portions in the Ten last remaining Years, after the Rate of Twenty thousand Pieces of Eight yearly, out of the Produce of the Duty upon Negroes, which they are to pay in those Years.

III.

Two hundred thousand Pieces of Eight, shall be advanced in Two equal Payments, to be made at Two and Two Months, and to be repaid out of the Duties of the last Ten Years, at Twenty thousand Pieces of Eight yearly.

IV.

Pagará en esta Corte la anticipacion, y los derechos de la Introduccion, de seis en seis meses, por mitad.

IV.

Que ha de ser de la obligacion de los Assientistas de pagar la anticipacion expresada de dozientos mil pesos escudos en esta Corte, como tambien el importe de los derechos, de seis en seis meses, de la mitad de las piezas de Esclavos, que se capitulan en cada vn año.

IV.

That the Assientists shall be oblig'd to pay the afore-said Advance of Two hundred thousand Pieces of Eight, in this Court; as also from Six Months to Six Months, the Half of the Amount of the Duties payable for the *Piezas* of Slaves, which they have agreed to Import yearly.

IV.

The Money advanced shall be paid in the Court of Madrid, as well as of the Duties of Importation, from Six to Six Months, by equal Portions.

V.

Las pagas de los derechos han de ser de los 40. Negros, por ha-

V.

Que las pagas de los derechos se han de executar en la forma expresada en la

V.

That the Payments of the said Duties shall be made in the manner mention'd in the condi-

V.

The Payments of the Duties shall be only for Four thousand

III. Que



zersele gracia  
de los 800. en  
cada vn año, en  
atencion a no  
abonarse inter-  
eses, ni riesgos,

condicion antecedente, sin a-  
trasso, disputa, ni otra inter-  
pretacion alguna; aunque  
con la declaracion, de que  
los dichos Assentistas no han  
de estar obligados a satisfacer  
mas de los que tocan  
al numero de las qua-  
tro mil piezas de Indias en  
cada vn año, y no de las ocho-  
cientas restantes; de las qua-  
les, en todos los treinta años  
de este Assiento, le ha de ha-  
zer su Magestad (como se  
la haze) gracia, y donacion,  
en la mejor via, y forma,  
que pueda dezirse, en aten-  
cion a los intereses, y ries-  
gos, que debian bonificarse a  
los dichos Assentistas, por  
la paga, y anticipacion en  
esta Corte de los derechos,  
que corresponden a las qua-  
tro mil piezas.

## VI.

Despues de  
cumplido el  
numero de las  
4800. piezas de  
Indias, podra  
introducir mas  
Negros en los  
veinte y cinco  
años primeros,  
pagando diez y  
seis pesos escu-  
dos, y dos ter-  
cios de otro, en  
lugar de trein-  
ta y tres, y vn  
tercio, tambien  
en esta Corte.

## VI.

Que los dichos Assentistas  
han de tener la facultad, des-  
pues de introducidos los qua-  
tro mil y ochocientos Negros  
de su obligacion en cada año,  
que si reconociesen ser ne-  
cessario para el beneficio de  
su Magestad Catholica, y de  
sus Vassallos el introducir  
mas numero de Negros, lo  
han de poder executar, du-  
rante los veinte y cinco años  
primeros de este contrato;  
porque en los cinco vltimos  
no lo han de poder hazer de  
mas que los quatro mil y o-  
chocientos capitulados; con

foregoing Article, without  
any Delay or Dispute, or  
without putting any other In-  
terpretation upon it; yet,  
with this Declaration, that  
the Assentists shall not be  
oblig'd to pay the Duties for  
more than Four thousand  
Negroes (*Piezas de India*)  
yearly, and not for the re-  
maining Eight hundred, the  
Duties payable for these last,  
during the whole Thirty  
Years of this Assiento, being  
to be, as they are hereby  
given and granted to them  
the said Assentists, by His  
Majesty, in the best Form  
and Manner possible, in con-  
sideration of the Risques and  
Interest that ought to be  
made good to the Assentists,  
for the Money advanced, and  
Payment in this Court of the  
Duties for the said Four thou-  
sand *Piezas*.

## VI.

That the said Assentists,  
after they shall have Import-  
ed the Four thousand eight  
hundred Negroes yearly, ac-  
cording to their Contract, if  
they find it necessary for His  
Catholick Majesties Service,  
and that of His Subjects, to  
Import a greater Number,  
they shall have Liberty to do  
it, during the first Twenty five  
Years of this Contract; (for as  
much as in the Five last Years  
they shall Import no more  
than the Four thousand eight  
hundred agreed upon,) with  
Condition, that they shall

and Blacks,  
those of eight  
hundred year-  
ly, being remit-  
ted, in regard  
that there shall  
not be any  
thing made  
good for the In-  
terest or Risques  
of the Money.

## VI.

After having  
Imported Four  
thousand eight  
hundred *Pie-  
zas*, a further  
Number may  
be carried, du-  
ring the first  
Five and twen-  
ty Years, pay-  
ing at Madrid  
16; instead  
of 33; Pieces  
of Eight.

without (and Blacks, those of Eight hundred years, being remitted, in regard to, that there shall not be any thing made good for the Interest or Risques of the Money.

India) the retired, the last, Thirty, being hereby to them by His Majesty Form, in conquests and to be Assentists, and, and of the Four thou-

VI. After having Imported Four thousand eight hundred Pieces, a further Number may be carried, during the first Five and twenty Years, paying at Madrid 10 : instead of 33 : Pieces of Eight.

la calidad, que tan solamente ayan de pagar diez y seis pesos escudos, y dos tercios de otro de todos derechos, por cada pieza de Indias, que introduxeren, además de los quatro mil y ochocientos referidos, que es la mitad de los treinta y tres pesos escudos, y vn tercio, arriba expresados; y la paga de ellos avrá de ser tambien en esta Corte.

VII. Hara la conduccion de sus Armazones en Navia Ingleses, o Españoles, con la tripulacion correspondiente, que no ha de causar escandalo a la Religion Catholica, baxo las penas, que aqui se expresan.

VII. Que los dichos Assentistas han de tener la libertad de emplear en este trafico, para la conduccion de sus Armazones, los Navios propios de su Magestad Britanica, y de sus Vassallos, o de otros, que pertenezcan a los de su Magestad Catholica, pagandoles sus fletes, y con la voluntad de sus dueños, tripulados de Marineria, Inglesa, o Española, a su eleccion; fiendo visto, que los Comandantes de los tales Navios, empleados por los Assentistas, ni tampoco los Marineros, han de causar ofensa, ni escandalo al exercicio de la Religion Catholica Romana, debaxo de la pena, y por las reglas impuestas en la condicion primera de este Assiento. Y asimismo ha de ser licito, y han de poder los dichos Assentistas introducir los Escavos Negros de su obligacion en todos los Puertos de los Mares del Norte, y de Buenos Ayres, en qualesquiera de

pay no more than Sixteen Pieces of Eight, and Two thirds of a Piece of Eight, for all Duties on each Negro, *Pieza de India*, which they shall Import, over and above the said Four thousand eight hundred, that being the Half of Thirty three Pieces of Eight, and One third abovementioned; and this Payment also shall be made in this Court.

VII. That the said Assentists shall be at liberty to employ, in this Commerce for the carrying of their Cargoes, Her Majesty of Great Britain's own Ships; or those of Her Subjects, or any belonging to His Catholick Majesties Subjects, (paying them their Freight, and with the consent of their Owners) Navigated with *English* or *Spanish* Mariners, at their choice, care being taken that neither the Commanders of those Ships employ'd by the Assentists, nor the Mariners do give any Offence, or cause any Scandal to the exercise of the Roman Catholick Religion, under the Penalties, and pursuant to the Regulations establish'd by the 1st Article of this Assiento. And also it shall be lawful for the said Assentists, and they shall have power to introduce their Black Slaves contracted for into all the Ports of the *North Sea* and of *Buenos Ayres*, in any of

VII. The Loadings of Blacks may be brought either in *English* or *Spanish* ships, man'd at the Choice of the Assentists, so as no Cause of Offence be giv'd to the Catholick Religion, under the Penalties in this Article express'd.

los referidos Navios, en la misma forma, que se ha concedido à otros Asientistas anteriores; aunque siempre debaxo de la seguridad, de que assi los Comandantes, como los Marineros, no han de dár escandalo à la Religion Catholica Romana, baxo de las penas ya exprestadas.

## VIII.

Podrá introducir Negros en todos los Puertos del Mar del Norte, a donde huviere Oficiales Reales, o sus Tenientes; y en los de la Costa de Barlovento, Santa Marta, Cumana, y Maracaybo, no podrá venderlos a mas de trecientos pesos.

## VIII.

Que por quanto se ha experimentado de grave perjuizio à los intereses de su Magestad Catholica, y de sus Vassallos, el que no fuese licito à los Asientistas de transportar sus Negros en todos los Puertos de las Indias generalmente; siendo cierto, que las Provincias, que carecian de ellos, experimentaban grandes miserias, por la falta de cultivo de sus tierras, y haziendas, de que resultaba la necesidad de valerse de todos los medios imaginables para adquirirlos, aunque fuese con fraude; Es condicion expressa de este contrato, que los dichos Asientistas podrán introducir, y vender los dichos Negros en todos los Puertos del Mar del Norte, y en el de Buenos Ayres, à su eleccion, revocando su Magestad Catholica (como revoca) la prohibicion establecida en otros Asientos precedentes, para que solo entrasen en los Puertos señalados en ellos; con declaracion, que los dichos Asientistas no han de poder llevar, ni de-

the aforementioned Ships, in like manner as has been granted to any former Asientists; however always with this assurance, that neither the Commanders nor Seamen shall occasion any Scandal to the Roman Catholick Religion, under the Penalties already mention'd.

## VIII.

That whereas Experience has shewn it to be very Prejudicial to the Interest of His Catholick Majesty, and His Subjects, that it hath not been lawful for the Asientists, to Transport their Negroes into all the Ports of India in general, (it being certain that the Provinces which have not had them, endured great Hardships for want of having their Lands and Estates cultivated, from whence arose the necessity of getting them, even though it were fraudulently) it is made an express Condition of this Contract, that the said Asientists may import and vend the said Negroes in all the Ports of the North Sea, and that of Buenos Ayres at their choice, (His Catholick Majesty revoking, as he does revoke, the Prohibition contained in other former Asiento's, to import them into any other Ports, than those therein mention'd) with this Restriction, that the said Asientists may not import, or land any

## VIII.

The Negroes may be Imported to all the Ports of the North-Sea, where there are Royal Officers or their Deputies; and may also be carried to the Windward-Coast, Santa Martha, Cumana, and Maracaybo, Where they shall not be sold for more than 300 Pieces of Eight each.

Podrá introducir Negros en todos los Puertos del Mar del Norte, a donde huviere Oficiales Reales, o sus Tenientes; y en los de la Costa de Barlovento, Santa Marta, Cumana, y Maracaybo, no podrá venderlos a mas de trecientos pesos.

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## VIII.

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ne Affien-  
their Ne-  
Ports of  
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Assientists  
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The Negroes  
may be Import-  
ed to all the  
Ports of the  
North-Sea,  
where there are  
Royal Officers  
or their Depu-  
ties; and may  
also be carried  
to the Wind-  
ward-Coast,  
Santa Martha,  
Cumaná, and  
Maracaybo,  
Where they  
shall not be  
sold for more  
than 300 Pieces  
of Eight each.

sembarcar Negro alguno, fi-  
no en los Puertos á donde  
huviere Oficiales Reales, ó  
Tenientes de ellos, que pue-  
dan visitar los Navios, y sus  
Cargazones, y dár certifica-  
cion de los Negros, que se  
introduxeren. Y assimismo se  
declara, que los Negros, que  
se llevaren á los Puertos de la  
Costa de Barlovento, Santa  
Marta, Cumaná, y Maracay-  
bo, no podrán vender los di-  
chos Assientistas mas que á ra-  
zon de trecientos pesos ca-  
da vno; y de aqui abaxo al  
menor precio, que fuere pos-  
sible, para alentar á aquellos  
Naturales á comprarlos; pe-  
ro por lo que toca á los de-  
más Puertos de Nueva-Espa-  
ña, sus Islas, y Tierra-Firme,  
ferá lícito á dichos Assien-  
tistas venderlos al mejor pre-  
cio que pudieren.

## IX.

Podrá intro-  
ducir cada año  
mil y dozientas  
piezas de Indis  
as por el Rio de  
la Plata, las o-  
chocientas pa-  
ra Buenos Ay-  
res, y las qua-  
trocientas para  
las Provincias  
de arriba; y se  
les señalaran  
algunas porci-  
ones de tierra  
para el cultivo,  
y crianza de  
ganados, para  
el sustento de  
los Negros sin  
obligacion de  
pagar por ella  
de echo alguno.

## IX.

Que estando permitido á  
los dichos Assientistas de in-  
troducir sus Negros en todos  
los Puertos del Mar del Nor-  
te, por las razones deducidas,  
en la condicion antecedente,  
queda tambien prevenido,  
que lo han de poder hazer en  
el Rio de la Plata, permiti-  
endoles su Magestad Catho-  
lica, que de las quatro mil y  
ochocientas piezas, que con-  
forme á este Assiento deben  
introducir cada año, en con-  
sideracion de las ventajas, y  
Beneficios, que se seguirán á  
las Provincias vezinas, de in-  
troducirsé en el dicho Rio de

Negro, except in those Ports  
where there are Royal Offi-  
cers, or their Deputies, who  
may search the Ships and their  
Cargoes, and certifie the  
Number of Negroes that are  
Imported. And it is provided  
at the same time, that the  
Negroes which are carried to  
the Ports of the Windward  
Coast, *Santa Martha, Cumaná,*  
and *Maracaybo*, shall not be  
sold by the said Assientists,  
for more than after the Rate  
of Three hundred pieces  
of Eight each, and for as  
much less as is possible, to  
encourage the Inhabitants of  
those Places to buy them; but  
as to the other Ports of *New-  
Spain*, its Islands, and *Terra-  
Firma*, it shall be lawful for  
the said Assientists to sell  
them at the best Prices they  
shall be able to get.

## IX.

That the said Assientists be-  
ing allowed, for the Reasons  
mentioned in the foregoing  
Article, to import their Ne-  
groes into all the Ports of the  
North Sea, it is also Agreed  
that they shall have power  
to do it in the River of *Plata*,  
His Catholick Majesty allow-  
ing them out of the Four  
thousand Eight hundred Ne-  
groes, which pursuant to this  
Assiento they are to import  
Yearly, (in Consideration of  
the Advantages and Benefits  
that will thereby accrue to  
the Neighbouring Provinces)  
to bring into the said River

## IX.

1200 Piezas  
may be carried  
yearly to the  
River of *Plata*,  
800 for *Buenos  
Ayres*, and the  
other 400 for  
the neighbour-  
ing Provinces,  
and a Tract of  
Land shall be  
set out for Til-  
lage and  
breeding of  
Cattle, for the  
Subsistence of  
the Agents, Ne-  
groes, &c.  
and for which  
no Duty shall  
be paid.

la Plata, ò Buenos Ayres, en cada vno de los treinta años deste Assiento, hasta el numero de mil y dozientas de ellas, piezas de Indias, de ambos sexos, para venderlos alli, al precio que pudieren, repartidas en quatro Navios, capaces de conducir las; las ochocientas de ellas para ser vendidas en Buenos Ayres, y las quatrocientas restantes, para que puedan internar, y servir para las Provincias de arriba, y Reyno de Chile, vendiendolas à los Naturales, si baxaren à comprarlas à dicho Puerto de Buenos Ayres; con declaracion, que su Magestad Britanica, y los Assentistas en su nombre, puedan tener en dicho Rio de la Plata algunas porciones de tierra, que su Magestad Catholica avrà de señalar, ò assignar, conforme à lo estipulado en los Preliminares de la Paz, desde que este Assiento empieze à correr, capaces de poder plantar, cultivar, y criar ganados en ellas, para el sustento de los dependientes de este Assiento, y de sus Negros, fiendole permitido de fabricar en ella casas de madera, y no de otro material; y que tampoco han de poder levantar tierra, ni hazer la mas leve fortificacion: Y que assimismo su Magestad Catholica ha de señalar vn Oficial de su satisfaccion, Vassallo suyo, que resida en el expreffado terreno, baxo

of *Plata* or *Buenos Ayres*, in each of the said Thirty Years of this Assiento, to the Number of One thousand and Two hundred of those *Piezas de India* of both Sexes, to sell them there at such Prices as they shall be able, Shipping the same in Four Vessels, large enough to carry them; Eight hundred of them to be disposed of at *Buenos Ayres*, and the remaining Four hundred may be carried into, and serve for the Provinces above, and Kingdom of *Chili*, selling them to the Inhabitants, if they will come to buy them in the said Port of *Buenos Ayres*; It being hereby declared, that Her *Britannick* Majesty, and the Assentists in Her Name, may hold in the said River of *Plata* some parcels of Land, which His Catholick Majesty shall appoint or assign, pursuant to what is stipulated in the Preliminaries of the Peace, from the time of the Commencing of this Assiento, sufficient to plant, to cultivate, and breed Cattle therein, for the subsistence of the Persons belonging to the Assiento, and their Negroes; they shall be allowed to build Houses there of Timber, and not of any other Materials, and they shall not throw up the Earth, nor make any the least (or slightest) Fortification: And His Catholick Majesty shall also ap-  
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[ II ]

de cuyo mando han de estar en lo respectivo à dicho terreno ; y por lo demás tocante al Asiento, à la de el Governador, y Oficiales Reales de Buenos Ayres sin que por razon del dicho terreno ayan de pagar derechos algunos, durante el tiempo de dicho Asiento, y no mas.

point an Officer, to His satisfaction, one of His own Subjects, who shall reside upon the aforementioned Lands, under whose Command are to be all such things as relate to the said Lands; and all other matters that concern the Asiento, shall be under that of the Governor and Royal Officers of *Buenos Ayres*, and the Assientists shall not, on Account of the said Lands, be oblig'd to pay any Duties during the time of the said Asiento, and no longer.

X.

Podrá fletar en Panama, y otros Puertos del Mar del Sur, Embarcaciones para transportar los Negros al Peru; llevar de Europa los pertrechos para mantenerlos, y traer de buelta de su producto oro, plata, y demás frutos.

X.

Para conducir, e introducir los Esclavos Negros en las Provincias del Mar del Sur, se ha de conceder (como se concede) facultad à los Assientistas de fletar, ya sea en Panamá, à otro qualquier Astillero, ò Puerto del Mar del Sur, Navios, y Fragatas de à quatrocientas toneladas, pocas, ò mas, en que poderlos embarcar desde Panamá, y llevarlos à todos los demás Puertos del Peru, y no à otros por esta parte, tripularlos de Marineria, y nombrar Oficiales de Mar, y Guerra à su voluntad, y traer de buelta el producto de la venta de ellos al dicho Puerto de Panamá, assi en frutos de la tierra, como en reales, barras de plata, y tejos de oro, sin que se les pueda obligar à pagar derechos algunos de la plata, y oro que conduxeren, assi de

X.

In order to the carrying and introducing of Black Slaves into the Provinces of the *South-Sea*, Liberty is to be granted, as it is hereby granted to the Assientists, to freight either at *Panama* or in any other Dock or Port of the *South-Sea*, Ships or Frigats of about Four hundred Tons, little more or less, on board which they may Ship them at *Panama*, and carry them to all the other Ports of *Peru*, and no others on that side, and to man those Ships with such Seamen, and appoint such Officers, both Military and for Sea, as they shall think fit, and may bring back the Produce of the Sale thereof to the said Port of *Panama*, as well in Fruits of the Country, as in Money, Bars of Silver, or Ingots of Gold, and so as they may not be oblig'd

X.

Vessels may be freighted in *Panama*, and other Ports of the *South-Sea*, for Transporting the Blacks to *Peru*; and Naval Stores may be carry'd from *Europe*, for the maintaining of the said Vessels, and the Proceeds of the Blacks may be brought back in Gold, Silver, and other Effects.



entraña, como de falida, siendo quintados, y sin fraude, constando ser del producto de Negros; porque han de ser libres de todo genero de derechos, en la misma forma que si los dichos reales, barras de plata, y tejos de oro, perteneciesen à su Magestad Catholica: Y asimismo se concede la permission à dichos Assentistas de embiar de Europa à Portovelo, y desde Portovelo à Panamá, por el Río Chagre, ò por Tierra, cordelaje, velas, fierro, madera, y juntamente todos los demás pertrechos, y provisiones necesarias para dichos Navios, Fragatas, ò Barcos Luengos, y su manutencion; con la advertencia, que no han de poder vender, ni comerciar los dichos pertrechos, en todo, ni en parte, debaxo de ningun pretexto, qualquiera que sea; porque en tal caso se han de dar por confiscados, y castigar, segun fuere de justicia, à los compradores, y vendedores, quedando para desde alli en adelante, privados absolutamente los Assentistas de esta permission, à menos de que constasse aver tenido licencia de su Magestad Catholica para la dicha venta. Y se previene, que cumplido el tiempo de este Assiento, no han de poder los dichos Assentistas usar de los dichos Navios, Fragatas, ò Barcos, para conducirlos à la Europa, por los inconvenientes, que se podrian seguir.

to pay any Duties for the Silver or Gold, which they shall bring either upon Importation or Exportation, it being Stamped, and without fraud, and appearing to be the Produce of the Negroes, for that the same is to be free of all sorts of Duties, in the same manner as if the said Money, Bars of Silver, and Ingots of Gold, belonged to his Catholick Majesty: And likewise leave is granted to the said Assentists to send from *Europe to Portobello*, and from *Portobello to Panama*, by the River *Chagre*, or by Land-*Carriage*, Cables, Sails, Iron, Timber, and likewise all other Stores and Provisions, necessary for the said Ships, Frigats, or Barcoluengo's, and for the maintaining the same; provided that they shall not be allowed to Sell, or Trade in the said Stores, in the whole nor in part, under any pretence whatsoever; for that in such case they shall be confiscated; and as well the Buyers as the Sellers, shall be punished according to Law, and the Assentists, shall be, from that time forward, absolutely deprived of this Privilege, unless it shall appear that they had obtained leave for the Sale thereof from His Catholick Majesty. And it is farther provided, that when the Term of this Assiento is ended, the said Assentists shall not be allow'd to make use of

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the said Ships, Frigats, or Barks, to carry them to *Europe*, because of the Inconveniencies that might ensue.

XI.

Podrá valerse de Ingleses, o de Españoles, para el manejo de este Asiento, no excediendo de quatro a seis en cada Puerto, siendo Ingleses, que seran tratados como los Vassallos.

XI.

Podrán los dichos Asientistas servirse de Ingleses, o Españoles, a su eleccion, para el manejo, y gobierno de este Asiento, assi en los Puertos de la America, como en los demás Lugares de la tierra adentro, derogando su Magestad Catholica, para este caso, las leyes, que prohiben la entrada, o vezindad en ella a los Estrangeros; y declarando, y mandando, que los Ingleses ayan de ser atendidos en todo el tiempo de el, y tratados como Vassallos de la Corona de España, con la prevencion de que en ninguno de los referidos Puertos de las Indias podrán vivir mas de quatro, o seis Ingleses; de cuyo numero podrán los dichos Asientistas elegir los que les pareciere, y necesitaren de embiar la Tierra adentro, a donde fuere permitido internar los Negros para el manejo, y recobro de este negocio; lo qual executarán en la forma mas conveniente, y que mejor les estuviere, baxo las reglas prevenidas en la condicion primera, sin que sean impedidos, ni embarazados por ningun Ministro Politico, o Militar, de qualquier grado, o calidad que sea, debaxo de ningun pretexto, si no se opusiere lo que se intentare a

XI.

The said Asientists may make use of *English* or *Spaniards* at their choice, for the Management and Direction of this Asiento, as well in the Ports of *America*, as in the Inland Places, His Catholick Majesty dispensing for that end, with the Laws which forbid Strangers entring into or inhabiting in that Country; Declaring and Commanding that the *English*, during the whole time of this Asiento, shall be regarded and treated as if they were Subjects of the Crown of *Spain*, with this Restriction, that, there shall not reside in any one of the said Ports of the *Indies*, more than Four or Six *Englishmen*; out of which Number the said Asientists may chuse such as they shall think fit, and shall have occasion to send up into the Country, where Negroes are allow'd to be carried, for the Management and Recovery of their Effects; which they shall perform in the most convenient manner, and that which they shall think best, under the Regulation mentioned in the 1st Article, without any Hindrance or Disturbance from any Ministers Civil or Military, of what Degree or Quality soever, under any pretence, un-

XI.

*English Men or Spaniards may be employ'd in the Management of this Asiento, so as there shall not be more than 4 or 6 English in any Port, who shall be treated as the Kings Subjects.*

las leyes establecidas, ni à lo contenido en este Assiento.

less they can be charg'd with acting contrary to the established Laws, or to the Contents of this Assiento.

## XII.

Publicada la Paz podra embiar dos Navios de Guerra con los Factores, y dependientes, que han de desembarcar en los Puertos de la permission, y vna Embarcacion mediana para llevar los de Buenos Ayres.

## XII.

Que para el mejor gobierno de este Assiento se ha de servir su Magestad Catholica de conceder, que su Magestad Britanica pueda embiar, luego que se aya publicado la Paz, dos Navios de Guerra con los dichos Factores, Oficiales, y demàs dependientes, que se han de emplear en servicio de el, explicando antes los nombres de vnos, y otros, para que se desembarquen en todos los Puertos de la permission, à donde se huvieren de establecer, y arreglar las factorias, assi para que hagan el viage con mayor seguridad, y conveniencia, como para prevenir lo necesario à la recepcion de las Embarcaciones, que fueren con Negros; porque debiendo irlos à tomar en las Costas de Africa, y desde alli transportarse à los Puertos de la America Española, fuera muy desacomodado à los Factores, y dependientes elembarcarse en ellas, sobre ser inutil, como es indispensable que antes esten prevenidas casas para su habitacion, y las demàs providencias, que se dexan considerar; y que para conducir el Factor, y demàs dependientes à Buenos Ayres, se conceda vna Embarcacion mediana; con declaracion, que assi

## XII.

That for the better Management of this Assiento, His Catholick Majesty will be pleased to grant, that as soon as the Peace is Proclaimed, Her Britannick Majesty may send Two Ships of War, with the said Factors, Officers and others, who are to be employed in this Service, giving first a List of the Names, both of the one and the others, that are to go ashore in all the Ports, where they shall be allowed to settle and regulate their Factories, as well that they may go with the greater convenience and security, as that they may provide all things necessary for the receiving the Vessels that shall go with Negroes, which being oblig'd to go to take the Blacks in upon the Coast of Africa, and thence Transport them to the Ports of the Spanish America, it would be very Incommodious as well as Unprofitable, for the Factors and others employ'd, to go on Board the Ships made use of in those Voyages, and yet it is indispensably necessary that Houses be prepared before-hand for them to dwell in, and all other Provisions made which they shall want; and for the Transporting of esta,

## XII.

After the Publication of the Peace, two Men of War may be sent with the Factors and Servants, to land them in the several Ports; and a Vessel of middling Burthen to carry those design'd for Buenos Ayres.

## XIII.

Podra nombrarse Colectores en los Puertos, y en las principales de la America, y serios con cada causa, enales, que se creiere, y presidente, Consejo, y el Protector, el Ministro, el propuesto, que sea su conservador, y privativo.

esta, como los dos Navios de Guerra, han de ser visitados, y fondeados en los Puertos por los Oficiales Reales; y que han de poder comissar los generos, si los llevaren, y que para su retorno se les den los baltimentos que necesitaren, pagandolos por su justo precio.

the Factors, and others, belonging to the Company, to *Buenos Ayres*, a Vessel of a midling Burthen shall be allowed, and it is hereby declared, That as well this Vessel, as the Two Ships of War, are to be visited and searched in the several Ports by the Royal Officers, who may seize their Merchandize, if they carry any; and farther the said Ships shall be furnished with necessary Provisions for their return, at a reasonable Rate.

XII.

After the Publication of the Peace, two Men of War may be sent with the Factors and Servants, to land them in the several Ports; and a Vessel of midling burthen to carry those design'd for *Buenos Ayres*.

XIII.

Podra nombrar Juezes Conservadores en los Puertos, y Lugares principales de la America, removers con justificada causa, y salarles los salarios, que le mereciere; al Presidente del Consejo, que sea Protector, y el Ministro que el propusiere, que sea su Juez Conservador privativo.

XIII.

Podrán los dichos Asfientistas nombrar en todos los Puertos, y Lugares principales de la America, Juezes Conservadores, que lo sean de este Asfiento, a los quales han de poder remover, quitar, y nombrar otros, a su arbitrio, en la forma que se concedió en la condicion octava de los Portugueses, aunque siempre avrá de preceder causa justificada para ello ante el Presidente, Governador, o Audiencia de aquel territorio, para que aprobada por vnos, u otros, se haga el nombramiento en Ministro de su Magestad Catholica, y se les ha de conceder el privativo conocimiento de todas las causas, negocios, y dependencias de este Asfiento, con plena autoridad, y inhibicion de Jurisdiccion, Y inhibicion de Audiencias, Ministros, y

XIII.

The said Asfientists may Nominate, in all the Ports and Chief Places of *America*, Judges Conservators of this Asfiento, whom they may remove and displace, and appoint others at pleasure, in the manner allow'd to the *Portuguese* in the Eighth Article of their Asfiento, provided always that they shew a justifiable Cause for their so doing, before the President, Governor, or Audience of such District, which shall be by them respectively approved, so as this Nomination may fall on some of His Catholick Majesties Ministers; which said Judges are to have cognizance, exclusive of all others, of all Causes, Affairs and Suits, relating to this Asfiento, with full Authority and Jurisdiction: All Audiences, Ministers and Tribunals, Pre-

XIII.

The Asfientists may name Judges Conservators in all the Ports and Principal Places of *America*, and remove them upon a justifiable Cause, and appoint such Salaries as they shall think fit, and an Appeal to lie only to the Supreme Council of the *Indies*, the President of that Council shall be their Protector, and a Minister of the same, whom the Asfientists shall propose, shall be their Judge Conservator, exclusive of all others.

Tribunales, Presidentes, Capitanes Generales, Governadores, Corregidores, Alcaldes Mayores, y otros qualquiera Juezes, y Justicias, en que han de ser comprehendidos los Virreyes de aquellos Reynos, porque solo han de tener el conocimiento de estas causas, y Juezes Conservadores, de cuyas sentencias solo se podrá apelar, en los casos por Derecho permitidos, para el Supremo Consejo de las Indias, con calidad, que los referidos Juezes Conservadores no han de poder pedir, ni pretender mayores salarios de los que los Asientistas tuvieron por bien de señalarles por esta incumbencia; y que si alguno cobrasse demas, ha de mandar su Magestad Catholica que se restituya; y juntamente se le ha de conceder, que el Presidente, o Governador, que es, o fuere de el dicho Consejo, o el Decano de el, sea Protector de este Asiento; y que tambien puedan proponer vn Ministro del mismo Consejo, el que les pareciere mas conveniente, para que sea su Juez Conservador Privativo, con aprobacion de su Magestad Catholica, en la forma que se ha practicado en los Asientos antecedentes.

idents, Captains General, Governors, Corregidores, Great Alcaldes, and other Judges and Justices whatsoever, the Vice-Roys of those Kingdoms included, being forbidden to meddle therewith, forasmuch as the said Judges Conservators are alone to have the Cognizance of these Causes and their Incidents, from whose Sentences an Appeal (in such Cases as the Law allows) shall lye to the Supreme Council of the Indies, with this Condition, that the said Judges Conservators may not demand or pretend to greater Salaries than those the Asientists shall think good to allow them for that Service; and if any of them exact any more. His Catholick Majesty will order it to be restored; He will also grant that the President or Governor of the said Council for the time being, or the Decano (eldest Member) thereof, shall be Protector of this Asiento; and also that they may propose a Minister of the same Council, (whom they shall think most proper) to be their Judge Conservator, exclusive of all others, with His Catholick Majesty's Approbation, in like manner as has been done in former Asiento's.

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General, Regidores, and other whatso- of those ed, being the said ors are a- e Cogni- auses and om whose peal (in e Law al- to the Su- the Indies, ion, that Conserva- and or pre- laries than tists shall w them for l if any of more. His ry will or- d, He will the Presi- or of the the time ecano (el- ereof, shall f this Af- that they Minister of il, (whom most pro- Judge Con- ve of all o- Catholick obation, in s has been Assiento's.

XIV. No

XIV. No podran los Virreyes, Audiencias, Presidentes, Gobernadores, ni otro Ministro alguno, detener los Navios de este Assiento con ninguna causa, ni pretexto.

XIV. No han de poder los Virreyes, Audiencias, Presidentes, Capitanes Generales, Gobernadores, Oficiales Reales, ni otro Tribunal, o Ministro alguno de su Magestad Catholica, embargar, ni detener los Navios de este Assiento, ni embarazarles su viage, con ningun pretexto causa, ni motivo, aunque sea para armarlos en Guerra, o por otro designio; antes bien serán obligados de hazerles dar todo el favor, asistencia, y socorro, que los dichos Assentistas, o sus Factores, les pidieren para la mejor expedicion, despacho, y carga de dichos sus Navios; y asimismo los viveres, y demás cosas de que necesitaren para su mas breve avio, a los precios que fueren corrientes; con apercibimiento, y baxo de la pena, que los que hizieren lo contrario serán obligados por si propios a resarcir, y satisfacer todos los daños, y perjuizios, que por el embargo, o detencion se siguiere a los dichos Assentistas.

XV. Tampoco podran embargar, ni valerse de bienes, o efectos pertenecientes a el Assiento, ni visitar las casas de los Factores,

XV. Tam poco han de poder los Virreyes, Presidentes, Capitanes Generales, Gobernadores, Corregidores, Alcaldes Mayores, Juezes, y

XIV. It shall not be lawful for the Vice-Roys, Audiencias, Presidents, Captains General, Governors, Royal Officers, or other Tribunal or Minister whatever, of His Catholick Majesty, to lay an Embargo on, or detain the Ships belonging to this Assiento, nor to hinder them in their Voyages, under any pretence, or for any cause or motive whatever, even though it should be to fit them out for War, or upon any other design; but on the contrary, they shall be obliged to afford them all the Favour, Assistance and Succour, that the said Assentists or their Factors shall desire, for the more speedy fitting out, dispatching and lading of their said Ships, and likewise the Victuals and all other things they shall stand in need of, for forwarding their Voyages, at the Current prices, with this warning, and under this penalty, that those who do otherwise, shall be obliged at their own proper costs, to make good and satisfy all the Damages and Losses, which the Assentists may sustain by such Impediment or Detention.

XV. Neither shall the Vice-Roys, Presidents, Captains General, Governors, Corregidores, Great Alcaldes, Judges, and Royal Officers

XIV. The Vice-Roys, Governors, &c. may not detain the Ships of this Assiento upon any pretence, but shall give their Aid and Assistance.

XV. Neither shall the said Vice-Roys, Governors, &c. lay an Embargo on, or Seize any of the Effects belonging to this Assiento, nor



sino es en el  
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en que avra de  
concurrir el  
Juez Conserva-  
dor.

Oficiales Reales, ni otro Tri-  
bunal, ni Oficial alguno, tomar, sacar, retener, ni embargar, con violencia, ni en otra manera alguna, debaxo de ningun pretexto, causa, ni motivo, por vrgente que sea, caudales, bienes, y efectos algunos, procedidos de este Asiento, ò pertenecientes à dichos Asientistas, pena de que serán castigados, y que pagarán de sus propios bienes los daños, y perjuizios, que por esta razon les huvieren ocasionado. Y asimismo no han de poder los referidos Ministros visitar las Casas, y Almacenes de los Factores, y demas dependientes del Asiento, que deben gozar de este privilegio, y exempcion, por evltar el escandalo, y descredito, que resulta de semejantes diligencias; sino es en el caso que se huviese justificado alguna introduccion de fraude, y prohibida, en el qual se podran executar las visitas, con la asistencia precisa del Juez Conservador, quien avrá de evitar los extravios, y sustracciones, que suelen experimentar del crecido numero de Soldados, y Ministros que concurren, con sintiendo, que si se aprehendieren algunos generos, sean comissados, pero no los caudales, ni efectos del Asiento, que han de quedar libres; y si los Factores

or any other Tribunal or Officer whatsoever, take, seize, detain, or lay an Embargo by violence, or in any other manner, under any pretence, or for any cause or motive whatsoever, (though never so urgent) on any of the Stock, Goods and Effects, that are the Produce of this Asiento, or belonging to the Asientists, under the penalty of being punished, and paying, out of their own Estates, the Damages and Losses that shall accrue thereby: Nor shall the said Ministers search the Houses or Ware-houses of the Factors or others belonging to this Asiento, who are to enjoy this Privilege and Exemption, to prevent the scandal and discredit that attend such Proceedings; unless in case it shall have been proved that there has been some fraudulent and prohibited Importation, and then they may be searched, with the Assistance of the Judge Conservator, herein absolutely required, who shall take care to prevent Pilferings and Embezlements, that use to happen by the great Number of Soldiers and Officers, that crowd to such places on those occasions; It being agreed, That if any such Goods are found, they may be seized, but not the Stock or Effects of the Asiento, which are to con-  
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on proof of  
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Importation,  
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lito, se avrà de dár cuenta  
à la Junta para el castigo.

XVI.

Podrá tener en  
su servicio los  
Marineros, Ar-  
rieros, y demás  
Oficiales que  
necesitare.

XVI.

Que los dichos Asientistas,  
sus Factores, y demás depen-  
dientes en Indias, podrán  
tener en su servicio los Ma-  
rineros, Arrieros, y Oficiales  
de trabajo, que necesitaren  
para cargar, y descargar sus  
Navios, y Embárcaciones,  
ajustandose con ellos volun-  
tariamente, y pagandoles los  
salarios, ó estipendios en que  
hubieren convenido.

XVII.

Podrá cargar sus  
retornos en Flo-  
tas, ó Galeones,  
u otros Navios  
de Guerra de  
su Magestad,  
que han de ser  
libres de todos  
derechos de en-  
trada en Espa-  
ña, y de qual-  
quier Indulto,  
ordinario, u ex-  
traordinario.

XVII.

Que los dichos Asientistas  
han de tener facultad de  
cargar à su eleccion los e-  
fectos que tuvieren en las  
Indias, sobre los Navios de  
Flotas, ó Galeones, para  
traerlos à la Europa,aju-  
stando su flete con los Ca-  
pitanes, y dueños de dichos  
Navios, ó sobre los propios  
de este Asiento, los quales  
podrán venir de conserva, si  
lo tuvieren por conveniente,  
con dichas Flotas, y Gale-  
ones, u otros Navios de  
Guerra de su Magestad Ca-  
tholica, quien se ha de ser-  
vir de mandar à vnos, y à  
otros, que precisamente los  
admitan, y traygan debaxo  
de su Proteccion, y Salva-  
guardia, con advertencia,  
que no se les ha de repartir  
cantidad alguna, por razon

nue free; and if the Factors  
are concern'd in such Of-  
fences, an account thereof  
shall be given to the Junta,  
that they may be punished.

XVI.

That the said Asientists,  
their Factors, and others be-  
longing to them in the *Indies*,  
may employ in their Service  
such Mariners, Carriers, and  
Workmen, as they shall have  
occasion for, to load and un-  
load their Ships and Vessels,  
upon a voluntary Agreement  
made with them, and pay-  
ing them such Salaries and  
Stipends as they shall have  
agreed for.

XVII.

That the said Asientists  
shall have liberty to load, at  
their choice, the Effects they  
may have in the *Indies*, up-  
on the Ships of the Flota or  
the Galeons, to bring them  
into *Europe*, agreeing for  
the Freight with the Cap-  
tains and Owners of the said  
Ships, or upon the Vessels  
belonging to the Asiento, which  
if they think it con-  
venient, may come under  
Convoy with the said Flo-  
tas and Galeons, or other  
Ships of War belonging to  
His Catholick Majesty, who  
will be pleas'd to lay his ex-  
press Commands, both up-  
on the one and the other of  
them, to admit and take  
them under their protecti-  
on and safe-guard, with this  
warning, that no Sum what-

XVI.

The Asientists  
may Employ  
what Seamen,  
Workmen and  
Carriers they  
please.

XVII.

The Returns  
may be made in  
Flotas, Gale-  
ons, or Ships  
of War of the  
King of Spain,  
or in the Asien-  
tists own Ships,  
and shall be  
free of all Du-  
ties on Import  
in Spain, and  
Indultoes; but  
shall not bring  
in their Ships,  
any Passengers,  
Subjects of the  
King of Spain,  
or their Effects.

de indulto ordinario, ni extraordinario, y de venir en conserva de dichas Flotas, y Galeones; y que los efectos que vinieren en ellos con justificacion instrumental de pertenecer à los Assentistas, han de ser libres de todos, y qualesquiera derechos de entrada en España, por deberse considerar sus caudales con el mismo privilegio, que si fueran de su Magestad Catholica; y prohibiendo, que en los expresados Navios del Assiento, que vengan en dichas conservas, no puedan traer ningun Passagero Español, ni caudales de Vafallos de su Magestad Catholica.

ever be demanded of them, by way of Ordinary or Extraordinary Indulto, or for their coming in Company with the said Fleet or Galeons; and that the Effects which shall come in them, and shall appear, by an Authentick Writing, to belong to the Assentists, shall be free of all Duties whatsoever, on their Importation in Spain, seeing their Stock is to be looked upon to have the same Privilege as if it belonged to His Catholick Majesty; and it is forbid, that the said Ships belonging to the Assiento (which may come in Company with the Flotas) do bring on Board them any *Spanish* Passenger, or any Effects of any Subject of His Catholick Majesty.

XVIII.

Desde el primer día de Mayo de mil setecientos y treze no podrá la Compañia de Francia, ni otro alguno, introducir Negros, pena que se dan por perdidos a favor de la de Inglaterra, cuyos Factores podrán visitar las Embarcaciones, que llegaren a las Costas con permiso, y autoridad de los Gobernadores.

XVIII.

Que desde el día primero de Mayo de el presente año de mil setecientos y treze, hasta que se aya tomado possession de este Assiento, ni despues de averse tomado, no podrá la Compañia de Guineá de Francia, ni otra persona alguna, introducir ningun Esclavo Negro en las Indias; y en caso de hazerlo, su Magestad Catholica los ha de declarar (como por la presente condicion declara) por confiscados, y perdidos en favor, y beneficio de estos Assentistas; los quales han de quedar con la obli-

XVIII.

That from the First Day of May of this present Year 1713, till they shall have taken Possession of this Assiento, nor after their taking such Possession, it shall not be lawful for the *French Guinea Company*, or any other Person whatsoever, to introduce any Negro Slave into *India*; and if they do, His Catholick Majesty will declare, as by this present Article He does declare, them to be Confiscated and Forfeited, in favour, and for the Benefit of these Assentists, to whom they shall remain,

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XVIII.

From the First of May, 1713. neither the *French Company*, nor any other Person, shall Import Blacks, under Penalty of forfeiture to this Company, whose Factors may, with the Leave and Authority of the Governors, search the Vessels that shall arrive upon the Coast.

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## XVIII.

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chos de los Negros, que se  
huvieren introducido contra  
el tenor de esta condicion,  
en la forma, que por este  
contrato queda arreglado, y  
establecido, aviendose de des-  
pachar despues que este fir-  
mado en toda forma, ordenes  
circulares a la America, para  
que en ninguno de sus Puer-  
tos se admitan Negros de  
quenta de la Compania de  
Francia, a cuyo Apoderado  
se le avra de notificar; Y  
para hazerle mas efectivo,  
y vtil a la Real hazienda, se  
previene, que quando los  
dichos Assistentas tuvieren  
noticia de aver llegado so-  
bre las Costas o entrando  
en qualquier Puerto de las  
Indias algun Navio con Ne-  
gros, que no sean del Assien-  
to, han de poder aprestar,  
armar, y despachar luego  
los que tuvieren propios,  
o bien pertenecientes a su  
Magestad Catholica, o a sus  
Vassallos, con quienes se  
avran de convenir para to-  
mar, embargar, y confiscar  
a los tales Navios, y sus  
Negros, de qualquiera Na-  
cion, o persona a quien per-  
tenezcan; a cuyo fin han de  
tener dichos Assistentas, y  
sus Factores la libertad de  
reconocer, y visitar todos los  
Navios, y Embarcaciones, que  
llegaren a las Costas de las  
Indias, o en sus Puertos, en  
los quales aya fundada ra-  
zon, o motivo de sospechar

they being obliged to pay the  
Duties for the Negroes thus  
Imported contrary to this  
Article, as are Regulated and  
Settled by this Contract,  
for which purpose, so soon  
as it is sign'd, Circular Or-  
ders, in the most ample form,  
shall be dispatch'd to Ame-  
rica, that there be not any  
Negroes for the account of  
the French Company admit-  
ted into any of the Ports, to  
whose Agent the same shall  
be notify'd; and that this  
may be the more effectual  
and advantageous to the  
Royal Revenue, it is Agreed,  
that when the said Assistentas  
shall have notice that any  
Ship with Negroes (not be-  
longing to them) is come  
upon the Coast, or entred in-  
to any Port, they may fit  
out, arm, and send out im-  
mediately such Vessels as  
they shall have of their own,  
or any others belonging to  
His Catholick Majesty, or  
His Subjects, with whom  
they shall Agree, to Take,  
Seize, and Confiscate such  
Ships and their Negroes, of  
whatever Nation or Person  
they be, to whom the same  
shall belong; to which end  
the said Assistentas, and their  
Factors, shall have liberty to  
take cognizance of, and search  
all Ships and Vessels that  
shall come upon the Coasts  
of India, or into its Ports, in  
which they shall have reason  
to believe or suspect, that  
que

que ay Negros de contravando: bien entendido, que para executar las visitas, reconocimientos, y las demás diligencias, que vãn expreßadas, ha de preceder el permiso de los Governadores, à quienes se avrà de comunicar, y pedirles, que interpongan su autoridad; entendiendose, que para la execucion de todo esto, y dár principio à este Assiento, ha de aver precedido primero la publicacion de la Paz.

XIX.

Su Magestad mantendra todas las condiciones deste Assiento debaxo de su Fee, y Palabra Real.

**XIX.**  
Que los dichos Assentistas, sus Factores, y Apoderados, han de poder navegar, à introducir los Esclavos Negros de su obligacion en todos los Puertos del Norte de las Indias Occidentales de su Magestad Catholica, incluso el Rio de la Plata, con prohibicion à todos los demás, yà sean Vassallos, ò Estrangeros de la Corona, de transportar, ni introducir Negros algunos, debaxo de las penas establecidas por leyes, que comprehenden este contrato; y su Magestad Catholica se obliga, con su Fee, y Palabra Real, à mantener à los dichos Assentistas en la entera, y plena possession, y observancia de todas las condiciones de el, durante el tiempo que se capitula, sin permitir, ni dissimular cosa alguna, que se oponga à su puntual, y exacto cumplimiento, por considerarle su

there are Contraband Negroes: Provided always that for the making of such Searches, Visits, and other Proceedings before mentioned, they shall first have leave from the Governors, to whom they shall communicate what occurs, and desire them to interpose their Authority; Provided that Peace shall be proclaimed before any thing of this can be done, or this Assiento take place.

XIX.

That the said Assentists, their Factors and Agents, shall have power to Navigate and Import their Negro Slaves, according to their Contract, to all the Northern Ports of His Catholick Majesties *West-Indies*, including the River of *Plata*, with Prohibition to all others, whether Subjects of the Crown, or Strangers, to carry and introduce thither any Negroes, under the Penalties established by the Laws that relate to this Contract of Trade; and His Catholick Majesty Obliges himself by His Faith and Royal Word, to maintain the said Assentists, in the entire and full Possession and performance of all the Articles thereof, during the time agreed on, without allowing or conniving at any thing that may be contrary to the punctual and exact fulfilling thereof, Magestad

XIX.

His Catholick Majesty will, upon His Faith and Royal Word, cause to be Observed all the Articles of this Assiento.

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**Magestad**

Magestad como interes pro-  
pio suyo ; con la cali-  
dad de no poder introducir  
en el dicho Rio de la Plata,  
ò Buenos Ayres, mas de las  
mil y dozientas piezas de  
Negros, permitidas por la  
condicion octava.

His Majesty considering it  
as his own concern ; with  
this Condition, that they shall  
not Import into the said Ri-  
ver of Plata, or Buenos Ayres,  
more than the Twelve hun-  
dred *Piezas de Negros* al-  
low'd by the 8th. Article.

XX.

Su Magestad  
reserva en si  
solo el cono-  
cimiento de los  
pleytos y cau-  
sas, que pudie-  
ren lucitarse,  
y turbar este  
Assiento.

XX.

Que en el caso que los  
dichos Assientistas fueren mo-  
lestados en la execucion, y  
cumplimiento de este Assi-  
ento, y que fuesen inquie-  
tadas sus acciones, y dere-  
chos por via de pleyto, ò en  
otra forma, qualquiera que  
dichos, su Magestad Catholica  
declara, que ha de reservar  
en si solo el conocimiento  
de ellos, y de las demás cau-  
sas, que pudieren promo-  
verse, con inhibicion à to-  
dos, y qualesquiera Juezes,  
y Justicias de tomar inspec-  
cion, y conocimiento de las  
dichas causas, y pleytos, ni  
de las omisiones, y defectos,  
que pudiesen resultar en el  
cumplimiento de este Assi-  
ento.

That in case the said Af-  
fientists be molested in the  
Execution and Performance  
of this Assiento, and that  
their Proceedings and Rights  
be disturbed by way of Suits  
at Law, or in any other  
manner whatsoever, His Ca-  
tholick Majesty declares  
that he will reserve to him-  
self alone the Cognizance  
thereof, and of all Causes  
that may be moved there-  
upon, with an Inhibition to  
all and whatsoever Judges  
and Justices to take to them-  
selves the Examination and  
Cognizance of the said Cau-  
ses, or of the Suits, Omis-  
sions or Defects that may  
happen in the performance  
of this Assiento.

XX.

His Catholick  
Majesty re-  
serves to him-  
self alone the  
Cognizance of  
all Causes re-  
lating to this  
Assiento.

XIX.

His Catholick  
Majesty will,  
upon His Faith  
and Royal  
Word, cause to  
be Observed all  
the Articles of  
this Assiento.

XXI.

Los Navios de  
este trafico no  
podran entrar  
en los Puertos,  
sin que prime-  
ro justifiquen  
los Capitanes  
de no aver en  
ellos enferme-  
dad contagi-  
osa.

XXI.

Que los Navios de dichos  
Assientistas luego que lleguen  
à los Puertos de las Indias  
con sus Armazones de Ne-  
gros, los Capitanes de ellos  
han de estàr obligados de  
certificar, que no tienen  
ninguna enfermedad conta-  
giosa, para que los Gover-  
nadores, y Oficiales Reales  
les puedan permitir la en-  
trada en dichos Puertos, sin

XXI.

That whenever the Ships  
of the said Assientists, shall  
arrive in the Ports of the  
Indies with their Cargoes of  
Negroes, the Captains there-  
of shall be oblig'd to Certifie  
that there is not any Con-  
tagious Distemper amongst  
them, that the Governor and  
Royal Officers may permit  
them to enter into the said  
Ports, without which Cer-  
cuya

XXI.

Ships employ'd  
in this Trade  
shall not enter  
the Ports before  
the Captains  
have Certify'd  
there is no con-  
tagious Distem-  
per on Board.



cuya justificacion no han de ser admitidos.

tificates, they shall not be admitted.

XXII.

Los dichos Navios han de ser visitados, y si se hallaren mercaderias han de ser comissadas con la imposicion de las penas, que se prescriben; pero no los Negros, bastimentos, ni Embarcaciones.

XXII.

Despues que los dichos Navios ayan entrado en qualquiera de los Puertos han de ser visitados por el Governador, y Oficiales Reales, y fondeados hasta el plan, y lastre de ellos; y aviendo desembarcado los Negros en todo, o en parte, podran al mismo tiempo desembarcar las provisiones, que llevaren para su sustento, poniendolos en algunas casas particulares, o Almacenes, obtenida licencia de los Ministros que los huvieren visitado, para evitar por este medio ocasion de fraude, o controversia; pero no podran desembarcar, introducir, ni vender ningun genero, ni mercaderia, con ningun pretexto, ni motivo; porque si algunas se hallaren en los Navios, han de ser comissadas, como si estuviessen en tierra, si solo los dichos Esclavos Negros, y almacenar los bastimentos para su manutencion, pena de que seran castigados severamente los que lo executaren, y sus mercaderias, y efectos confiscados, o quemados, declarandolos para siempre incapazes de tener empleo alguno en el dicho Asiento, y los Oficiales, y Vassallos de su Magestad Catholica que lo permitieren, seran igualmente castigados; porque toda intro-

XXII.

When the said Ships shall have entred into any of the Ports, they are to be visited by the Governor and Royal Officers, and searched to the bottom, even to the Ballast; and having Landed their Negroes in whole or in part, they may at the same time Land the Provisions, which they shall bring for their Subsistence, laying them up in particular Houses or Magazines, having obtain'd leave of the Ministers who had Searched the said Ships; to avoid by these means all opportunities of Fraud or Controversie, but they shall not Land, Import, or Vend any Goods or Merchandize under any Pretence or Motive whatsoever; and if there should be any on Board the Ships, they shall be Seized, as if they were found on Shore, excepting only the said Negro Slaves, and the Magazines of Provisions for their Subsistence, under the penalty, that those who are guilty, shall be severely punished, and their Merchandize and Effects Confiscated or Burnt, and they shall be declar'd for ever incapable of having any Employment in the said Asiento; and the Officers and Subjects of His Catholick Majesty who shall connive at the same, shall be severely

XXII.

The Ships shall be search'd on arrival; Merchandizes found on Board shall be confiscated, and the punishments hereby prescribed shall be inflicted, but the Blacks, Provisions, and Vessels shall be free.

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## XXII.

The Ships shall be search'd on arrival; Merchandizes found on Board shall be confiscated, and the punishments hereby prescribed shall be inflicted, but the Blacks, Provisions, and Vessels shall be free.

Ships shall any of the be visited and Royal ched to the Ballast; their Ne- r in part, ame time ns, which for their them up es or Ma- ain'd leave who had hips; to a- all oppor- or Contro- not Land, y Goods or- r any Pre- hatsoever; d be any hips, they s if they ore, ex- aid Negro Magazines their Sub- e penalty, re guilty, punished, ndize and or Burnt, eclar'd for aaving any e said Af- ficers and Catholick ll connive e severely duction,

ducion, y comercio de mer- caderias ha de ser absoluta- mente prohibido, y negado à dichos Assentistas, como contrario, y opuesto à las leyes de estos Reynos, y à la sinceridad, y buena fee con que deben desempeñarse de la obligacion de este Assiento. Y declara su Magestad, y ordena, que las mercaderias que asise aprehendieren, introducidas fraudulentamente, serán tassadas, y valuadas, è inmediatamente quemadas en parte publica, por orden de los dichos Governadores, y Oficiales Reales, y se condene al Capitan, ò Maestre del dicho Navio, ò Embarcacion, à pagar el precio valuado, aunque no tenga mas culpa, que la de omision en no aver tenido cuydado de embarazar, que las tales mercaderias se embarcassen; pero si fuesen complices, ò delinquentes principales, serán condenados à perdida equivalente al crimen cometido, castigados severamente, y declarados inhabiles de poder tener en adelante ninguna ocupacion por el servicio de este Assiento; y su Magestad Catholica pedirá exacta, y rigurosa quenta à todos sus Ministros, y Oficiales, sobre el cumplimiento de lo referido, con declaracion, que no por esso han de estar sujetos à la dicha perdida,

punished also, all Importation and Trading in Merchandize being absolutely forbidden and deny'd to the said Assentists, as being contrary to, and against the Laws of these Kingdoms, and the Sincerity and good Faith with which they ought to discharge the Obligations they are under by this Assiento. And His Majesty declares and ordains, that the Merchandize which shall be so Seized, as being fraudulently Imported, shall be appraiz'd and valued, and immediately burnt in some Publick Place, by Order of the said Governors and Royal Officers, and the Captain or Master of the said Ship or Vessel, shall be Condemned to pay the Price at which it was valued, though he should be guilty of no other Fault, than of Omision, in not taking care, that no such Merchandize should have been put on board; but if they are Accomplices, or Delinquents, they shall be Condemned to pay a Forfeiture proportionable to their Offence, severely punished, and declared incapable to hold thereafter any Employment in the Service of this Assiento: And His Catholick Majesty will require from all His Ministers and Officers, an exact and strict account of the Performance of what is above-

E y con:

y confiscacion los Navios en que fueren los Negros, ni tampoco los bastimentos, que para su sustento se llevarán, pues esto se declara que ha de quedar libre, por no tener culpa; y que la persona, o personas, que tuvieren el encargo puedan proseguir su negociacion; y que si las mercaderias, o generos aprehendidos no excedieren el valor de cien pesos escudos, se quemarán, sin remission alguna, despues de valuadas, y el Capitan será condenado a pagar la cantidad que importaren, en pena de su destuydo, y omision; y que si no exhibiere promptamente el valor del comiso, quede suspenso, y preso, hasta averlo hecho; pero si se justifiare, que el tal Capitan no ha sido complice, ha de ser de su obligacion entregar la persona que huviere delinquido; y en este caso quedará el libre.

mentioned; And it is declared that the Ships, on board which the Negroes shall be, or any of the Provisions brought for their Subsistence, shall not be lyable to the said Forfeiture and Confiscation, they being declared to remain free, as not being in fault; and the Person or Persons, who have charge of them, may go on with their Traffick; and if the Merchandize or Goods Seized do not exceed the Value of One hundred Pieces of Eight (Escudos) they shall be burnt without any remission (being first Appraized) and the Captain shall be condemned to pay the Sum at which they were Appraized, as a punishment for his neglect and omission, and if he does not pay down the Value of what shall have been so Seized, he shall be Suspended and Imprison'd till Payment made; but if it be proved that he was not an Accomplise, he shall be obliged to deliver up the Person Guilty, and in that case he shall be free.

XXIII.  
Los bastimentos que desembarcare para el sustento de los Negros no han de pagar derechos algunos; y si quedaren algunos rezagos con riesgo de corromperse, han de poder venderlos con intervencion de los Oficiales Reales.

XXIII.  
Que de los bastimentos, y otras provisiones, que desembarcaren para el sustento de los Negros, no deberán pagar derechos algunos de entrada, ni de salida, ni otros qualesquiera que sean, impuestos, o que se impusieren en adelante; aunque

XXIII.  
That the Victuals and other Provisions which shall be put on Shore for the Subsistence of the Negroes, shall not pay any Duties of Importation or Exportation, or any others whatever, that now are, or hereafter may be imposed; but if the Af-

XXIII.  
Provisions landed for the use of the Blacks, shall not pay any Duties of Import or Export, but those bought shall pay the same as are paid by Spanish Subjects, and if any remain likely to perish, they may

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si los compraren, ò los exportaren de los Puertos, han de estar obligados à pagar los que estuvieren establecidos, del mismo modo, que lo hizieran los Vassallos de su Magestad Catholica; con declaracion, que si de los dichos bastimentos almacenados quedaren algunos rezagos, por no averse podido consumir, expuestos al riesgo de corromperse, los podrán vender, ò conducir à otros Puertos, para el mismo fin de su venta, pagando los derechos, que en ellos estuvieren impuestos; todo con intervencion, y conocimiento de los Oficiales Reales.

Assentists buy or export them from the Ports, then shall they be obliged to pay the Duties Established, in the same manner as His Catholick Majesties Subjects ought to do, and it is declared, That if, of the Provisions that were laid up in the Ware-houses, there should remain some, which could not be expended, and likely to perish, they may be sold, or carried to other Ports to be disposed of, paying the Duties there Established, the whole, with the Interposition and Knowledge of the Royal Officers.

be sold with the intervention of the Royal Officers, paying their Duties.

XXIV.

Desembarcados los Negros han de adeudar los derechos; pero no de los que huviere enfermos de peligro, que han de tener quince dias de tiempo para curarse; y si pasados estuviere con vida, adeudaran tambien los derechos.

XXIV.

Que los derechos de los Negros introducidos han de causarse desde el dia de su desembarco en qualquiera de los Puertos de las Indias, despues de hecha la visita, y regulacion por los Oficiales Reales; con declaracion, que si se muriere alguno de los dichos Negros antes de estar vendido, no por esto han de dexar los Assentistas de estar obligados à pagar los derechos de los que murieren, sin que sobre ello puedan introducir pretension alguna; y solo se permite, que si al tiempo de hazerse la visita se reconocieren algunos Negros enfermos de peligro, se puedan desembarcar para procurarlos algun alivio; y que

XXIV.

That the Duties upon the Negroes Imported, are to be due from the Day of their Landing in any of the Ports of the Indies, after the Search made, and all matters regulated by the Royal Officers, and it is declared, That if any of the said Negroes dye before they are sold, the Assentists shall not thereby be quit of the Obligation of paying the Duties for those that dye, nor have any pretension to make upon that Account; except only, that in case, upon making the Searches, there be found any Negroes dangerously ill, they may be landed for their Recovery, and if these dye within the space of Fifteen Days, from the time of their

XXIV.

The Duties to be due for the Blacks from the time of Landing, except those who shall be dangerously ill, for whom 15 Days are allowed, and the Duties are to be due for them also, if, after that time, they shall be living.

XXIII.

Provisions landed for the use of the Blacks, shall not pay any Duties of Import or Export, but those bought shall pay the same as are paid by Spanish Subjects, and if any remain likely to perish, they may

si estos se murieren en los quinze dias primeros despues de echados en tierra, no esten obligados los Asientistas à pagar derechos algunos, respecto de no desembarcar se con el fin de venderlos, sino de procurarles la salud en los quinze dias referidos; y si passados estuvieren con vida, en tal caso deberán adeudar los derechos en la conformidad que los demás, y satisfacerlos en esta Corte, como va prevenido en la condicion quinta.

being put on Shore, the Assentists shall not be obliged to pay any Duties, in regard they were not landed for Sale, but in order to Recover their Health in the said Five Days; which being expir'd, if they shall be yet alive, then they shall become indebted for the Duties for them, in like manner as for the rest, and shall pay them in this Court, pursuant to what is agreed in the Fifth Article.

XXV.

Despues de vendidos parte de los Negros de la Embarcacion en vn Puerto, podra passar a otro los que quedaren, y recibir en pago el oro, y plata para sacarlo libre de todos derechos; pero no de los frutos, y efectos, de que avra de pagar los establecidos, y los podra passar de vnos Puertos a otros.

XXV.

Que despues que los Asientistas, o sus factores ayan ajustado, y vendido parte de los Negros de la Embarcacion, que huviere entrado en aquel Puerto, les ha de ser permitido passar à otro el numero que les quedare, dandoseles certificacion por los Oficiales Reales de los derechos, que alli huvieren adeudado, para que no se les pueda repetir en los demás Puertos; Y assimismo podrán recibir en pago de los que vendieren, reales, varras de plata, y tejos de oro, que sean quintados, y sin fraude, como tambien los frutos de la tierra, para sacarlos, y embarcar libremente, assi los reales, varras de plata, y tejos de oro, como los efectos, y frutos, por ser procedidos de la venta de dichos Negros, sin

XXV.

That after the Assentists, or their Factors, shall have settled the Duties, and sold part of the Loading of Blacks, which they had brought to that Port, they shall be allowed to carry the remainder to any other Port, carrying Certificates from the Royal Officers of having there accounted for the Duties, that so the same may not be demanded of them again in any other Port; And they may receive in Payment for those they shall sell, Money, Bars of Silver, and Ingots of Gold, which shall have paid the King's *Quinto* without Fraud, as also the Produce of the Country, which they may carry away, and embark freely, as well the Money, Bars of Silver, and Ingots of Gold, as the other

XXV.

Part of the Blacks may be sold in any Port, and the Vessel proceed with the remainder to another, carrying a Certificate of having accounted for the Duties, and the Payment in Gold or Silver to be free of all Duties, but the Fruits or Effects to pay the Duties, and may be carried from one Port to another to be sold.

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obligacion de pagar derechos, si solo los que estuvieren establecidos en los Lugares de adonde se entregaren los frutos, y efectos, que se les permite recibir en cambio, o por precio de los Negros, de qualquiera calidad que sean; y los que vendieren en esta forma, por falta de moneda, han de poder transportarlos con las Embarcaciones empleadas en este trafico, a los Puertos que les pareciere, y venderlos en ellos, pagando los derechos acostumbrados.

Effects and Fruits, as being the Produce of the Sale of the said Negroes, without being obliged to pay any Duties, except only those that shall be Established in the Places from whence those Fruits and Effects are brought, which they are allow'd to receive in Exchange, or for the Value of their Negroes, of whatever kind they be, upon Sales made in this manner for want of Money, which they may carry on board the Vessels employ'd in this Commerce, to such Ports as they shall think fit, and sell them there, paying the accustomed Duties.

XXVI.

Podran los Navios de este Asiento salir de los Puertos de la Gran Bretaña, o de España, y bolver a ellos a su eleccion, dando antes noticia de su partenza, y bolveriendo a España entregaran registro de sus retornos, y si a los de Inglaterra, embia an relacion sin que puedan embarcar caudales de Españoles, ni Pasajeros, sin licencia de su Magestad Catholica.

XXVI.

Que los Navios que estuvieren empleados para este Asiento, han de poder salir de los Puertos de la Gran Bretaña, o de España, a eleccion de los Assentistas, quienes han de participar a su Magestad Catholica los que en cada vn año se despacharen, para llevar Negros, y los Puertos adonde fueren destinados, pudiendo bolver a vnos, u a otros con los reales, varras de plata, y oro, frutos, y efectos de la tierra, que huvieren procedido de la venta de sus Negros, con la obligacion que hazen, de que viniendo los retornos a los Puertos de España entregaran los Capitanes, y Comandantes registro autenti-

XXVI.

That the Ships which shall be employ'd by this Asiento, may Sail from the Ports of Great Britain or Spain at the choice of the Assentists, who shall give an Account to His Catholick Majesty of what Ships they shall dispatch yearly for the Negro-Trade, and the Ports for which they are design'd, and may return to either with the Money, Bars of Silver, Gold, Fruits and Produce of the Country, being the produce of the Sale of their Negroes, and they shall be under this Obligation, that if the Returns come into the Ports of Spain, the Captains and Commanders shall give to His Catholick

XXVI.

The Ships of this Asiento may Sail to or from Great Britain or Spain, the Assentists to give an Account of what Ships they dispatch yearly and their returns; but they shall not bring any Effects of Spaniards, nor Spanish Passengers, nor their Effects, without leave from His Catholick Majesty.



co à los Ministros de su Magestad, para que conste lo que conducen, y si llegaren à los de la Gran Bretaña, embiaràn individual relacion de la carga, con el fin de que su Magestad se halle plenamente informado; con advertencia, de que en ninguno de dichos Navios podrán traer plata, oro, ni otros frutos, que no sean del producto de la venta de Negros, ni tampoco Passageros Españoles; porque les està prohibido cargar caudales, ni otros efectos de quentade Vassallos de su Magestad Catholica, de aquellos Reynos, à menos que precediesse licencia expressa de su Magestad Catholica; Y consienten, que si los Capitanes, Comandantes, y Oficiales los traxessen sin este permisso, sean declarados incurridos en culpa, y castigados como defraudadores de los derechos de su Magestad, y transgresores de lo contenido en esta condicion, y de las ordenes, que su Magestad fuere servido de dár para su execucion, y para que en los Puertos de las Indias se vele en evitar semejante fraude, de modo, que siempre que pueda averiguarse, de averse cometido, han de ser castigados los delinquentes.

Majesties Ministers an Authentick Register, by which it may appear what they have on board; and if they come back to *Great Britain*, they shall send over an exact Account of their Lading, that His Majesty may be fully inform'd thereof; with this warning, that they may not bring over, in any of the said Ships, any Silver, Gold, or other Effects, than what shall be the Produce of the Sale of the Negroes, nor any *Spanish* Passengers, they being forbid to receive on board any Merchandize or other Effects, on Account of His Catholick Majesties Subjects in those Dominions, without an express Licence first obtain'd from His Catholick Majesty; and they consent, that if the Captains, Commanders and Officers, do bring any such on board, without such Licence, they shall be declared guilty, and punished as having defrauded His Majesties Customs, and transgress'd against the Contents of this Article, and the Orders which His Majesty shall have been pleas'd to give for the Execution thereof, and for the avoiding of such Frauds in the Ports of the *Indies*, so that the Offenders, being Convicted thereof, shall be constantly punished.

XXVII.

Se previene la forma que se ha de observar con las presas que hizieren los Navios de este Asiento, así en su venta, como en la aplicación de su producto, y paga de derechos.

XXVII.

Si sucediere, que los Navios de este Asiento fueren armados en Guerra, y hizieren algunas presas de Enemigos de vna, y otra Corona, o de los Piratas, Cortários, que suelen cruzar, y robar en los Mares de la America, podrán entrar con ellas en qualquier Puerto de su Magestad Catholica, adonde han de ser admitidos; y siendo allí declaradas por buenas, y legitimas las presas, no han de estar obligados los Apresadores a pagar mayores derechos de entrada de los que estuviesen establecidos, y pagaren los Naturales Vassallos de su Magestad; con declaracion, que si en ellas se hallaren Negros, los han de poder vender por cuenta del numero de los de su obligacion, como tambien los viveres, y bastimentos, que les sobraren; pero esto no se entiende con las mercaderias, y generos que apresaren, cuya venta ha de quedar siempre prohibida; pero se les permite (atendiendo a la conveniencia de sus intereses) que puedan llevar las dichas mercaderias, y generos apresados a los Puertos de Cartagena, o Portobello, y entregarlos a los Oficiales Reales, quienes los avrán de recibir, inventariar, y poner en Almacenes, con asistencia de los Apresado-

XXVII.

If it should happen that the Ships of this Asiento should be fitted out as Ships of War, and should take any Prizes from Enemies of either Crown, or from the Pirates that usually Cruise and Plunder in the Seas of America, they may bring them into any Port belonging to His Catholick Majesty, where they are to be admitted; and the said Prizes being declared good and lawful; the Captors shall not be obliged to pay greater Duties, upon the Entry of their Prizes, than what are established and payable by the natural Subjects of His Majesty; and it is declared, that if there should be any Negroes on Board such Prizes, they may sell them in part of the Number they have engag'd to furnish, as likewise the Victuals and Provisions that should be over and above what is needful for their Subsistence; But this is not to extend to the Merchandize and Goods which they may take, the sale whereof is ever to remain Prohibited: However such Regard is had to their Interests, that they are allow'd to carry the said Merchandize and Goods so taken, to the Ports of *Cartagena* or *Portobello*, and deliver them to the King's Officers, who are to receive them, and

XXVII.

The Method to be observed in relation to Prizes taken by the Ships of the Asiento.

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XXVII. Si

res, donde se guarden hasta el arribo de Galeones, y que llegue el tiempo de celebrarse las Ferias en dichos Puertos de Cartagena o Portovelo, quando los Oficiales Reales han de cuydar de que se vendan con intervencion, y asistencia de los Diputados del Comercio, y de los mismos Apresadores, o sus Apoderados; para lo qual avrá de dár su Magestad Catholica las ordenes convenientes, como se las dá por esta condiclon; y que sacandose la quarta parte de la cantidad de su venta, que ha de pertenecer a su Magestad para entrarla en las Reales Caxas, y remitir a España con toda distincion de lo que procede, se han de entregar las tres quartas partes restantes de cada presa, sin la menor dilacion, a los Apresadores, o sus Apoderados, descontando, y baxando de ellas todos los gastos que se huvieren caulado en la venta, y almacenage, y satisfaciendo al mismo tiempo que se vendan las mercaderias de las presas los derechos acostumbados, y debidos a la Real hazienda. Y para prevenir qualquiera duda, y cabilacion, declara su Magestad, que los Navios, Valandras, y otras Embarcaciones apresadas, de qualquiera calidad que sean, han de pertenecer, con sus Armas, Artilleria,

make an Inventory thereof, and lay them up in Warehouses, in the Presence of the Captors, where they are to be kept till the Arrival of the Galeons, and the time of holding the Fairs in the said Ports of *Cartagena* and *Portobello*, and then the King's Officers are to take care that they be sold, with the Interposition, and in the Presence of the Deputies of Commerce, and the said Captors, or their Agents; for which purpose His Catholick Majesty is to give the necessary Orders, as he does give them by this present Article, and deducting a Fourth Part of the Produce of the Sale thereof, which is to belong to His Catholick Majesty, to be put into the Royal Coffers, and remitted to *Spain*, with a distinct Account of the said Produce, they are to deliver the Three remaining Parts of each Prize, without the least Delay to the Captors, or their Agents, deducting and retaining thereout all Expences for their Sale and Warehouse-room, and satisfying at the same time that these Prizes are Sold, the accustomed Duties payable for the same to the Royal Exchequer. And for the preventing all manner of Doubt and Cavil, His Majesty declares, That the Ships, Ketches, and other

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Muníciones, y todos los demás pertrechos, que en ellas se hallaren, à los dichos Apresadores.

Vessels (thus made Prize of) of whatever sort they be, with their Arms, Guns, Ammunition, and all the Furniture and Tackle on board them, shall belong to the Captors.

XXVIII.

Ses Magestades Catholica, y Bretonica, son interesadas, cada una por la quarta parte en este Assiento, para lograr las ganancias, que del resultaren.

XXVIII.

Que mediante ajustarse, y establecerse este Assiento con particular conocimiento del beneficio que pueden recibir sus Magestades Bretonica, y Catholica, para sus Reales averes, se ha convenido, y estipulado, que ambas Magestades han de ser interesadas en la mitad de el, y cada una en la quarta parte, que le ha de pertenecer, segun lo acordado: Y respecto de ser necesario, que para aver de gozar su Magestad Catholica de los vtiles, y ganancias, que puede producir este negociado, huviesse de pagar anticipadamente à los dichos Assentistas vn millon de escudos de plata, ò bien la quarta parte de la cantidad, que por ellos se regulasse ser necesario para poner en buena orden, y gobierno este negocio, se ha convenido, y ajustado, que si su Magestad Catholica no juzgare por conveniente anticipar la referida cantidad, ofrecen los dichos Assentistas hazerla de su propio dinero, con la calidad, que su Magestad Catholica les aya de hazer buenos los intereses, en la

XXVIII.

That whereas in the Establishing and Adjusting this Assiento, a particular Regard is had to the Advantage that may thence accrue to Their British and Catholick Majesties, and to Their Revenues, It is Agreed and Stipulated, That both Their Majesties shall be concern'd for One half of this Trade, each of them a Quarter part, which is to belong to them pursuant to this Agreement: And whereas it is necessary that His Catholick Majesty (in order to have and enjoy the Benefit and Gain that may be obtain'd by this Trade) should advance to the said Assentists, One Million of Pieces of Eight, (Escudos) or a quarter of the Sum, which they shall judge necessary for the putting of this Commerce into a good Order and Method, It is Agreed and Settled, That if His Catholick Majesty shall not think it convenient to advance the said Sum, the aforementioned Assentists do offer to do it out of their own Money, upon Condition, that His Catholick Majesty shall

XXVIII.

Their British and Catholick Majesties are interested each a quarter part in this Assiento.

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quenta que dieren, à razon de ocho por ciento al año, correspondientes à los dias del desembolso, hasta les del reintegro, y satisfaccion, en virtud de la cuenta, que se presentará, para que de este modo pueda su Magestad gozar de las ganancias, que pudieren pertenecerle, à que desde luego se obligan, pero en caso que no las tengan, por algunos accidentes, ò infortunios, y que en lugar de ellas padescan perdidas, ha de quedar su Magestad obligado ( como desde luego se obliga ) à mandar reembolsar de este tiempo aquella parte que le tocare de intereses, segun fuere de justicia, y en la forma menos perjudicial à su Real Patrimonio. Y ha de nombrar su Magestad Catholica dos Directores, ò Factores, los quales han de residir en Londres, otros dos en Indias, y vno en Cadix, para que de su parte intervengan con los de su Magestad Breτανica, y demás interesados en todas las direcciones, compras, y quantas de este Asiento, à los quales ha de dár su Magestad Catholica las instrucciones convenientes, à fin de lo que deban observar, y con especialidad à los dos de Indias, para evitar todos los embrazos, y controversias, que puedan ocasionarse.

make good the Interest out of what they shall be accountable for, to Him, after the Rate of Eight *per Cent.* yearly, commencing from the respective Days of their laying out the said Money, and to continue till they are Reimburs'd and Satisfy'd, according to the Account that shall be presented to Him, that His Majesty may thus enjoy the Profits that may accrue to Him, which they oblige themselves to from this time; but in case they do not make any Profit by reason of Accidents or Misfortunes, and that instead thereof they suffer Losses; His Majesty will be obliged, ( as he does oblige Himself from this time, ) to cause them to be Reimburs'd so far as he is concern'd, according to Justice, and in such way as may be least prejudicial to His Royal Revenues. And His Catholick Majesty is to Name Two Directors or Factors, who are to Reside at *London*, Two more in the *Indies*, and One at *Cadix*, that they may be concern'd on His part, (together with those of Her *Britannick* Majesty, and those that shall be interested, ) in all the Directions, Purchases and Accounts of this Asiento, to whom His Catholick Majesty is to give proper Instructions by which to govern themselves, par-

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XXIX.

Cumplidos los cinco años primeros se avra de dar la cuenta de las ganancias, y pagar lo que de ellas tocare a su Magestad Catholica.

Que los dichos Assentistas han de dar la cuenta de los utiles, y ganancias que huviere despues que ayan cumplido los primeros cinco años de este Assiento, con relaciones juradas, y legitimos instrumentos de los precios de la compra, sustento, transporte, y venta de los Negros, y de todos los demás gastos, que se huvieren causado; como tambien certificaciones en buena forma de lo que huviere procedido de la venta de ellos en todos los Puertos, y partes de la America, pertenecientes a su Magestad Catholica, adonde se huvieren introducido, y vendido; cuyas cuentas, assi de los gastos, como de los productos, han de ser primero reconocidas, y liquidadas por los Ministros de su Magestad Britanica, a quienes perteneciere, por el interes que tiene en este Assiento, para que en esta Corte se pueda del mismo modo examinar, y ajustar lo que tocara a su Magestad Catholica, y cobrarlo de los Assentistas, quienes tendran la obligacion de pagarlo muy regular, y puntualmente en fuerza de esta condicion, que ha de tener la misma fuerza, y vigor, que si fuera

That the said Assentists are to give an Account of their Profits and Gain at the end of the First Five Years of this Assiento, with Accounts taken upon Oath, and certify'd by Legal Instruments, of the Charge of the Purchase, Subsistence, Transportation, and Sale of the Negroes, and all other Expences upon their Account, and also Certificates in due Form, of the Produce of their Sale in all the Ports and Parts of *America*, belonging to His Catholick Majesty, whither they shall have been Imported and Sold; which Accounts, as well of the Charge as the Produce, are first to be Examined and Settled, by Her *Britannick* Majesties Ministers employ'd in this Service, in regard to the Share She is to have in this Assiento, and then to be Examined in like manner in this Court; And his Catholick Majesties Share of the Profits may be Adjusted and Recovered from the Assentists, who are to be oblig'd to Pay the same most regularly and punctually, in pursuance of this Article, which is to be of the same Force and Vigour as if it

At the end of the first 5 Years the Assentists to account for the Profits, and to pay what belongs to His Catholick Majesty.

instrumento publico, y debaxo de lo expreffado en la condicion veinte y ocho, en quanto à los Factores, que fu Mageftad Catholica ha de nombrar.

were a Publick Instrument, and under the Regulation mention'd in the 28th Article, concerning the Factors which His Catholick Majesty is to appoint.

XXX.

Del producto de las ganancias de los primeros cinco annos se ha de reembolsar la Compania de lo que huviere anticipado por la quarta parte de su Mageftad Catholica, y de los intereses, y de cinco en cinco annos fuccesivamente se avra de dar la cuenta por la misma orden.

XXX.

Que si el producto de las ganancias de los primeros cinco años excediere à la cantidad, que debieron anticipar, y anticiparon los Asfentiftas por su Mageftad Catholica, junto con los intereses de ocho por ciento, que se han de comprehender, y abonar en la forma que queda expreffado, los dichos Asfentiftas se avrán de reembolsar en primer lugar de lo que huvieren anticipado, con mas los intereses, y satisfacer à su Mageftad Catholica lo demás que se huviere adquirido con los derechos de los Negros, introducidos ànualmente, sin dilacion, ni embarazo alguno; cuya orden asimismo se ha de observar, y continuarse de cinco en cinco años fuccesivamente, durante el tiempo de este Asfiento; y al fin de el se darà la cuenta de las ganancias de los vltimos cinco años, en la forma que va expreffado en los primeros; de calidad, que su Mageftad Catholica, y los Ministros que tuvieren esta incumbencia, queden plenamente satisfechos, debaxo de lo expreffado en la condicion veinte y

XXX.

That if the Amount of the Gain, made during the first Five Years, does exceed the Sum which the Asfentifts are to advance, and shall advance for His Catholick Majesty, together with the Interest of Eight per Cent. which is to be included and made good in the manner abovemention'd, the Asfentifts are to reimburse themselves in the first place, what they shall have advanced, with all the Interest, and then to pay to His Catholick Majesty the remainder of the Profit that shall come to His Share, together with the Duties upon Negroes annually Imported, without any delay or impediment; which Practice is likewise to be observ'd and continued every Five Years successively, during the Term of this Asfiento; and at the end thereof an Account shall be given of the Gain made in the last Five Years, in the same manner as is mentioned in relation to the first Five Years; so that His Catholick Majesty, and His Ministers, whom he shall employ in this Affair, may remain

XXX.

Out of the Profits made in the first Five Years, the Company may reimburse themselves their Advance of His Catholick Majesties Quarter part, and the Interest; and an Account shall be given in like manner every Five Years successively.

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res, que su Magestad Catho-  
lica ha de nombrar.

fully satisfy'd, pursuant to  
what is mention'd in the  
28th Article, concerning  
the Factors which His Ca-  
tholick Majesty is to ap-  
point.

XXX.

XXXI.

XXXI.

XXXI.

XXXI.

Si las ganancias  
de los primeros  
cinco años lo  
permitieren,  
después de satis-  
fecho al expre-  
sado suplimi-  
ento, podrá la  
Compañia ha-  
zerse pago del  
todo, o parte de  
los dozentos  
mil pesos, que  
ofrece anticipar.

Que aviendo los dichos  
Assentistas ofrecido por la  
condicion tercera de este  
contrato de anticipar dozi-  
entos mil pesos escudos de  
plata, en la forma que en  
ells se refiere, no han de ser  
reembolsados de ellos, hasta  
que ayan pasado los veinte  
años primeros de este Assien-  
to, como se expresa en la  
citada condicion tercera, ni  
tampoco puedan pretender  
cosa alguna, por razon de  
riesgos, è intereses de esta  
cantidad; pero que si por lo  
respectivo à la cuenta, que  
han de dàr los dichos Assien-  
tistas al fin de los primeros  
cinco años, constare aver  
avido ganancias, han de po-  
der reembolsarse de la can-  
tidad, o parte de ella, que  
por cuenta del desembolso  
huviesen anticipado à su  
Magestad Catholica, por la  
quarta parte en que se ha de  
interessar en este Assiento, è  
igualmente por el importe  
de sus intereses, en conse-  
quencia de lo expreffado en  
la condicion veinte y ocho.

XXXII.

Se concede a la  
Compañia el  
tiempo de tres  
años después  
de cumplidos  
los treinta de  
este Assiento

XXXII.

Que después de fenecido,  
y cumplido este Assiento, su  
Magestad Catholica conce-  
de à los Assentistas el tiem-

That whereas the said  
Assentists have offer'd by the  
3d Article of this Contract,  
to advance Two hundred  
thousand Pieces of Eight  
in the manner therein ex-  
pressed, they shall not be  
reimbursed the same, till  
the end of the first Twen-  
ty Years of this Assiento,  
as is mention'd in the said  
3d Article, nor shall they  
pretend to any Allowance  
for the Risque or Interest of  
that Sum, but if upon the  
Account that is to be given  
by the Assentists, at the end  
of the first Five Years, they  
shall appear to be Gainers,  
they may reimburse them-  
selves the Sum, (or part  
thereof) which they shall  
have advanced for the Quar-  
ter Part, wherein His Ca-  
tholick Majesty is interested  
in this Assiento, as also the  
Interest due to them on this  
Account, pursuant to what  
is mention'd in the 28th Ar-  
ticle.

XXXII.

That from and after the  
determination and fulfilling  
of this Assiento, His Catho-  
lick Majesty does grant to

If the Profits of  
the first Five  
Years will al-  
low it, the  
Company may  
reimburse  
themselves  
their whole  
Advance.

XXXII.

Three Years are  
granted to the  
Company (af-  
ter the Deter-  
mination of the  
30 Years of this  
Assiento) for

para recoger sus efectos, y dar la cuenta final, con la entrada libre de sus Navios en los Puertos de la America para esto fin.

po de tres años para ajustar todas sus quantas, y recoger todos sus efectos en las Indias, y dar la cuenta final; en cuyo tiempo de tres años gozarán los Assentistas, sus Factores, Apoderados, y dependientes, los mismos privilegios, y franquezas, que les están concedidas durante el tiempo de este Contrato, para la entrada libre de sus Navios, y Embarcaciones en todos los Puertos de la America, y extraccion de los efectos que en ellos tuvieren, sin alteracion, ni restriccion alguna, qualquiera que pueda ser.

the Assentists the space of Three Years, to adjust their Accounts, and gather in all their Effects in the Indies, and make up a Balance of the whole, during which Term of Three Years, the said Assentists, their Factors, Agents, and others employ'd by them, shall enjoy the same Privileges and Immunities as are granted to them for the Term of this Contract, for the free Entrance of their Ships and Vessels in all the Ports of America, and Exportation of such Effects as they may have there, without any Alteration or Restriction whatsoever.

getting in their Effects, &c. with the same Privileges as before.

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#### XXXIII.

Los deudores de este Assiento han de ser apremiados a la paga, como si lo fuesen de su Magestad Catholica.

Que todos los deudores de los Assentistas han de ser compelidos, y apremiados a la satisfaccion de lo que debieren executivamente, por quanto se han de considerar sus creditos con el mismo privilegio, que si fueran propios de su Magestad Catholica, que los califica como tales para el fin de la mas segura cobrança.

That all the Debtors to the Assentists shall be compelled and forced to pay their Debts, by taking them and their Goods in Execution, these Debts being consider'd upon the same foot as those due to His Catholic Majesty himself, who declares them as such, that they may be the more effectually recovered.

#### XXXIII.

Debts belonging to the Assiento recoverable as those due to the King.

#### XXXIV.

Podrá embiar vestidos, medicinas, provisiones, y pertrechos navales desde Europa a los Puertos de las Indias en Embarcaciones de a ciento y cinquenta toneladas (a parte de las que conducen los Ne-

Que siendo necesario para la manutencion, y sustento de los Esclavos Negros, que se desembarcaren en los Puertos de las Indias Occidentales, como tambien de todos los dependientes empleados en este trafico, tener Almacenes continua-

That it being requisite for the Support and Subsistence of the Negro Slaves, who shall be set on Shore in the Ports of the West-Indies, as likewise of all the Persons employ'd in this Commerce, to keep constantly Magazines filled with

#### XXXIV.

Clothes, Medicines, Provisions, or Naval Stores, may be sent from Europe, or the Queen's Colonies, for the use of the Assentists only, in Vessels of 150 Tons, giving Advice of the same to the Council of the

mente

space of getting in their Effects, &c. with the same Privileges as before.

Indies, which others, shall Privileges are granted the Term for the free Ships and Ports of Station of they may at any Al- tion what-

XXXIII.

Debtors to be com- to pay ing them in Execu- being con- fame foot is Catho- self, who such, that more ef-

XXXIV.

requisite and Subsi- to Slaves, on Shore in the Per- his Com- constantly with mente

Clothes, Medicines, Provisions, or Naval Stores, may be sent from Europe, or the Queen's Colonies, for the use of the Assentists only, in Vessels of 150 Tons, giving Advice of the same to the Council of the

gros) dando a- viso de ellas al Consejo; pe- ro no podran venderlos, sino en caso de ne- cesidad de Na- vio Espanol.

mente proveidos de vestua- rio, medicinas, provisiones, y otras cosas precisas en todas las Factorias, que se establecieron para el alivio, y mejor gobierno de este Asiento, y tambien de todo genero de pertrechos para reparar el vfo de los Navios, y Embarcaciones, que se emplearàn en servicio de el, confian los Assentistas, que su Magestad Catholica se dignara de permitir, que de tiempo en tiempo puedan llevar desde la Europa, u de las Colonias de su Magestad Breitanica, en el Norte de la America, derechamente a los Puertos, y parages del Mar de el Norte de las Indias Occidentales Espano- las, adonde huviere Oficiales Reales, o sus Tenientes y assimismo en el Rio de la Plata, o Buenos Ayres, los vestidos, medicinas, provisi- ones, y pertrechos de Navi- os, solo para el vfo de los Assentistas de Negros, Fa- ctores, Sirvientes, Marine- ros, y Navios; cuyas con- ducciones se han de poder ha- zer en Embarcaciones peque- ñas de a ciento y cinquenta toneladas (a parte de las que conduxeren las piezas de Esclavos) de las quales, y de su carga han de dar a- viso al tiempo de partir al Consejo de las Indias, y presentar en el declaracion de los Directores de las que assi fueren, con la obligaci-

Clothing, Medicines, Pro- visions, and other Necessa- ries, in all the Factories that shall be established, for the more easie and better Ma- nagement of this Asiento, as also with all Naval Stores, for the Repairing of, and Furnishing the Ships and Vessels employ'd in its Ser- vice, the Assentists trust that His Catholick Majesty will please to allow them, from time to time, to bring from Europe or Her Britan- nick Majesties Colonies in North-America, directly to the Ports and Coasts of the Northern Sea of the Spanish West-Indies, where there shall be Royal Officers, or their Deputies, and likewise to the River of Plata or Buenos Ayres, Clothing, Medicines, Provisions, and Naval Stores, for the use only of the Assi- entists, their Negroes, Fa- ctors, Servants, Mariners, and Ships; and they may Import the same in small Vessels, of about One hun- dred and fifty Tons, (and not in those wherein the Ne- gro Slaves are carried) of which and their Cargoes, they are, at the time of their departure, to send an Ac- count to the Council of the Indies, and to lay before it a Declaration of the Factors, of what Goods the Loading consists, none of which shall be Sold, under Penalty of Confiscation and severe Pu- on

Indies; but not to be sold, unless to supply the Necessity of a Spanish Ship.

on precisa de no poder vender nada de lo expreffado, pena de confiscacion, y de rigurofo castigo contra los transgreffores, fino es en el caso preciso de vrgente necesidad de Navio de España, que para bolver à ella se vea obligado su Capitan à comprarlos, conviniendose con los Factores.

nishment to be inflicted on the Offenders, unless it be, in the case of an urgent Necessity, for a *Spanish Ship*, the Captain whereof, in order to his return home, may be obligèd to buy the same as he can agree with the Factors.

XXXV.

Se concede el arrendar tierras cerca de las Factorias para hazer plantios, y cultivarlos por mano de los Naturales, y de los Negros.

XXXV.

Que para refrescar, y mantener con salud à los Esclavos Negros, que se han de introducir en las Indias Occidentales, despues de tan largo, y penoso viage, y prevenirlos de qualquier mal contagioso, y destemplança, se ha de conceder libertad à los Factores de este Asiento de arrendar las porciones de tierra, que parecieren convenientes, en las cercanias de los Lugares adonde se establecieren las Factorias, con el fin de cultivar las tierras que assi arrendaren, y de hazer plantios en que recoger provisiones frescas para su alivio, y sustento; cuyo cultivo, y beneficio se aya de hazer por los Naturales de aquel Pais; y por los Esclavos Negros, y no por otros, sin que en esta forma pueda ningun Ministro de su Magestad Catholica embarazarlo.

XXXV.

For the refreshing and preserving in Health the Negro Slaves, which they shall import into the *West Indies*, after so long and painful Voyage, and to prevent any Contagious Illness, or Distemper amongst them, the Factors of this Asiento shall be allowed to hire such Parcels of Land as they shall think fit, in the neighbourhood of the Places where the Factories shall be Established, in order to Cultivate the said Lands, and make Plantations, in which they may raise fresh Provisions for their Relief and Subsistence; which Cultivating and Improvement is to be Perform'd by the Inhabitants of the Country, and the Negro Slaves, and not by any others, nor may any Ministers of His Catholick Majesty hinder them, provided they keep to this Rule.

XXXV.

Leave is given for hiring of Lands, near the Factories, for making Plantations to be cultivated by the Natives and Blacks.

XXXVI.

Se concede licencia para embiar vn Navio de trecientas toneladas a las

XXXVI.

Que se ha de conceder licencia à los Asientistas para poder embiar vn Navio de

XXXVI.

That Leave shall be granted to the Asientists to send a Ship of Three hundred Tons, and take

XXXVI.

Leave is given for a Ship of 300 Tons, to load at the *Canaries*, and take

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gistro de frutos  
para la Ameri-  
ca, por vna vez  
fola, durante el  
Assiento.

trecientas toneladas à las  
Islas de Canarias, sacando  
su registro de los frutos, que  
en ellas acostumbra cargar  
para la America, en la con-  
formidad que se concedió  
por la condicion veinte y  
seis à Don Bernardo Franci-  
co Marin, y la veinte y vna  
del de la Compania de Gui-  
nea de Portugal, por vna  
vez sola, durante el tiem-  
po de este Assiento.

to the Canary Islands, and  
to carry from thence such  
Fruits as are customarily ta-  
ken on board there, for *Ame-  
rica*, pursuant to what was  
allowed to Don Bernardo  
Francisco Marin by the 26th  
Article of his Assiento, and  
by the 21st Article of the  
Assiento of the *Guinea* Com-  
pany of Portugal, for one  
time only, during the conti-  
nuance of this Assiento.

onther Registro  
of Fruits custo-  
mary for *Ame-  
rica*, for once  
only, during  
the time of this  
Assiento.

XXXV.

Leave is given  
for hiring of  
Lands, near the  
Factories, for  
making Planta-  
tions to be cul-  
tivated by the  
Natives and  
Blacks.

XXXVII.

Se ha de despa-  
char Cedula  
para que en to-  
dos los Puertos  
de la America  
se publique in-  
dulto para los  
Negros de mala  
entrada, desde  
el dia que em-  
pieza este Assi-  
ento, a benefi-  
cio de la Com-  
pania.

Que se les ha de despa-  
char Cedula, para que en  
todos los Puertos de la Ame-  
rica se haga publicacion de  
Indulto para los Negros de  
mala entrada, desde el dia  
en que se concede este Assi-  
ento, concediendose libre fa-  
cultad à los Factores de in-  
dultarlos, por el tiempo, y  
en el precio que les parecie-  
re; y que el importe de este  
indulto se aplique, y sea en  
beneficio de los Assentistas,  
quienes han de tener la obli-  
gacion de pagar los dere-  
chos regulares à su Magestad  
de veinte y tres pesos escu-  
dos, y vn tercio de otro, por  
cada Negro, al mismo tiem-  
po que se indulte.

That Orders shall be dis-  
patched for the Publication  
in all the Ports of *America*,  
of an Indulto for the Negroes  
unduly Imported from the  
Day that this Assiento is to  
take place, with free liberty  
to the Factors to lay an In-  
dulto on them at what Time  
and Price they shall think  
fit; and that the Produce  
of this Indulto shall be ap-  
plied to the Benefit of the  
Assentists, who shall be  
oblig'd to Pay to His Catho-  
lick Majesty the regular  
Duties of Thirty three Pie-  
ces of Eight, and One third  
of a Piece of Eight, for each  
Negro, at the time that the  
Indulto is laid.

XXXVII.

Orders shall be  
dispatched for  
causing Publi-  
cation to be  
made in all the  
Ports of *Ame-  
rica*, of an In-  
dulto or seizure,  
for the use of  
the Company,  
on all Blacks  
unduly brought  
in from the  
Day that this  
Assiento shall  
commence.

XXXVIII.

Para las depen-  
dencias de este  
Assiento se ha  
de formar vna  
Junta de tres  
Ministros del  
Consejo de las  
Indias, con as-  
sistencia del  
Fiscal, y Secre-  
tario.

Que para la mejor, y mas  
prompta expedicion de este  
negocio se ha de servir su  
Magestad de formar vna  
Junta de tres Ministros de  
su mayor satisfaccion, con  
assistencia del Fiscal, y Se-  
cretario del Consejo de las

That for the better and  
more expeditious Dispatch  
of this Affair, His Majesty  
will be pleased to establish  
a Junta of Three Ministers,  
such as he shall think most  
proper, who, with the As-  
sistance of the Fiscal and Se-  
cretary of the

XXXVIII.

A Junta of 3  
Ministers of the  
Council of the  
Indies, shall be  
appointed for  
the Affairs of  
this Assiento,  
who shall be  
assisted by the  
Fiscal and Se-  
cretary of said  
Council.

XXXVI.

Leave is given  
for a Ship of  
300 Tons, to  
load at the Ca-  
naries, and take

G Indias,

Indias, para que entienda, y conozca privativamente de todos los negocios, y dependencias de él, durante el tiempo que se capitula, y que la dicha Junta consulte à su Magestad lo que se ofreciere, del modo que se estableció, y formó para la Compañia de Francia.

cretary of the Council of the Indies, shall hear and take Cognizance, (exclusive of all others) of all Matters and Causes relating thereunto, during the time that is stipulated; and that the said Junta shall lay before His Majesty what shall occur to them, in the same manner as was practised for the French Company.

XXXIX.

Todas las condiciones concedidas a los Asientistas antecedentes, que no fueren contrarias a este, se han de entender como insertas en el, y tambien el despacho de las Cédulas, que se les hubieren expedido.

XXXIX.

Que todas las condiciones concedidas en los Asientos antecedentes de D. Domingo Grillo, del Consulado de Sevilla, de D. Nicolás Porcio, de D. Bernardo Marin y Guzman, de las Compañias de Portugal, y Francia, que no fueren contrarias à lo contenido en este Contrato, se han de tener entendidas, y declaradas à su favor, como si à la letra estuviesen insertas en él; y que todas las Cédulas que se huviesen despachado en qualquier tiempo à los referidos Asientistas se han de conceder à los presentes, siempre que las pidieren, sin que se les ponga ninguna duda, ni embarazo.

XXXIX.

That all the Concessions in former Asientos to Don Domingo Grillo, the Consulado of Seville, Don Nicolas Porcio, Don Bernardo Marin y Guzman, the Companies of Portugal, and France, not being contrary to the Contents of this Contract, shall be understood and declared to be in its Favour, as if they were herein literally inserted; and that all the Orders that have at any time been dispatched in Favour of those forementioned Asientists, shall be granted to these, whenever they shall ask them, without any Doubt or Difficulty.

XXXIX.

All Concessions in former Asientos, not contrary to this, to be understood in its Favour, as if here inserted, the like Orders that have been granted to former Asientists, shall be given to these, as often as asked.

XL.

En caso de declaracion de guerra entre las dos Coronas, tendra la Compañia el tiempo de ano, y medio para sacar sus efectos de las Indias, y de España; y si la tuviera con otras Naciones,

XL.

Que en caso de declaracion de guerra (lo que Dios no permita) de la Corona de Inglaterra con España, ó de la de España con Inglaterra, ha de quedar suspendido este Asiento; pero se ha de conceder à los Asientistas el permiso, y la seguridad de po-

XL.

That in Case of a Declaration of War (which God forbid) of the Crown of Great Britain against that of Spain, or of Spain against Great Britain, this Asiento is to be suspended; however the Asientists are to be suffered to remove with all So-

XL.

In case of War between the two Crowns, the Company shall have a Year and half to withdraw their Effects from Spain and the Indies; but if between either of them and other Na-

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## XXXIX.

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## XL.

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atholica.

der sacar en el termino de  
año, y medio, desde que se  
declare el rompimiento, to-  
dos sus efectos libremente en  
los Navios de el, que se  
hallaren en los Puertos de las  
Indias, o en los de Espa-  
ñoles; con la calidad, que si  
en estos se transportasen a  
los de España, los podrán sa-  
car de ellos libremente, co-  
mo si el Assiento estuviese  
corriente, precediendo la ju-  
stificacion de ser del producto  
de los Negros; con declara-  
cion, que si sucediere, que  
las dos Coronas de España, y  
Inglaterra, o qualquiera de  
ellas entren en guerra, vnida,  
o separadamente con otras  
Naciones, en tal caso avrán  
de llevar los Navios del tra-  
fico del Assiento sus Passa-  
portes, y Vanderas, con Ar-  
mas distintas de las que a-  
costumbran traer los Ingleses,  
y Españoles, del modo que  
su Magestad Catholica tuvi-  
ere por bien de elegir las;  
las quales no podrán ser con-  
cedidas a otras Embarcaci-  
ones, que a las expressadas  
de este trafico, sin que pue-  
dan ser inquietados, ni violen-  
tados por los de las Nacio-  
nes, que fueren, o se decla-  
rasen Enemigas de las dos  
Coronas; para cuya seguri-  
dad se empeñará su Mage-  
stad Britanica a solicitar, y  
conseguir, que en el tratado  
proximo de la Paz General  
se inserte vn articulo expreso  
para que venga a la noticia

curity, (during the Space of  
One Year and an Half, from  
the time of the Declaration  
of such Rupture) all their  
Effects, and to bring them  
home freely in such of their  
Ships as shall then happen to  
be in the Ports of the *Indies*,  
or in those belonging to *Spa-  
niards*; with this Condition,  
that if they should bring  
them to the Ports of *Spain*,  
they may freely carry them  
away again, as if the Assiento  
was yet in force, it being first  
made to appear, that they  
are the Produce of the Negro  
Trade; And it is farther de-  
clared, That if it should hap-  
pen that the Crowns of *Spain*  
and *England*, or either of  
them, joyntly or separately,  
shall enter upon a War with  
other Nations, in such case  
the Ships employ'd in this As-  
siento are to have Passes and  
carry Flags with different  
Arms from what are usually  
born by the *English* or *Spa-  
niards*, such as His Catholick  
Majesty shall please to make  
Choice of, the like to which  
are not to be granted to any  
other Vessels than those be-  
longing to this Trade, which  
shall protect them from being  
molested or assaulted by the  
Ships of such Nations as shall  
be, or declare themselves  
Enemies to the two Crowns;  
in order to the securing of  
which, Her *Britannick* Ma-  
jesty will take upon Her to  
solicit and obtain that in the

tions, the Ships  
of the Assiento  
shall be Neu-  
ters, and for  
that purpose  
shall have  
Passes, and car-  
ry Colours, dif-  
fering from  
what were usu-  
al, such as His  
Catholick Ma-  
jesty shall ap-  
point.



de todos los Principes, y estén obligados à mandar, que sus Vassallos, y Subditos le guarden, y observen exacta, y puntualmente.

ensuing General Treaty of Peace, an express Article may be inserted, that all the Princes may take notice of it, and may be oblig'd to command their Subjects to govern themselves accordingly, and to observe the same exactly, and punctually.

## XLI.

Su Magestad Catholica dispensa en favor de este Asiento todas las Leyes, Ordenanças, Cédulas, Privilegios, Establecimientos, Usos, y costumbres, que a el se oponieren.

Y que todo lo contenido en el presente contrato, y las condiciones insertas en el, como todo lo anexo, y dependiente, se ha de cumplir, y executar sincera, y puntualmente, sin que pueda embarazarlo ningun pretexto, causa, ni motivo, para lo qual ha de dispensar su Magestad (como dispensa) todas las Leyes, Ordenanças, Cédulas, Privilegios, Establecimientos, Usos, y Costumbres, que huviere en contrario en qualquiera parte de los Puertos, Lugares, y Provincias de la America, pertenecientes à su Magestad, por el tiempo de treinta años, que ha de durar este Asiento, y los tres años mas que se conceden à los Asientistas para recoger sus efectos, y dar la quenta final segun va expresado, aviendo de quedar en su fuerza, y vigor para los demás casos, que no tocan à este Contrato, y para el tiempo adelante, despues de cumplidos los treinta y tres años de el.

## XLI.

## XLI.

That all the Contents of this present Contract, and the Conditions therein inserted, as likewise all that shall be annexed thereunto, or depending thereon, shall be fully executed, and sincerely and punctually executed, so as it may not be obstructed by any Pretext, Cause, or Motive whatsoever; for which purpose His Majesty is to dispense, (as He does hereby dispense,) with all Laws, Ordinances, Proclamations, Privileges, Establishments, Usages, and Customs, contrary hereunto, where ever the same may be subsisting in any of the Ports, Places, and Provinces of America, belonging to His Majesty, for the Term of Thirty Years, during which this Asiento is to continue, and the three Years farther, which are allowed to the Asientists, for the getting in their Effects, and balancing their Accounts, as has been already mention'd; which Laws, &c. are however to continue in all their Force and Vigour, in all other Cases that do not relate to this Contract, and in all time

## XLI.

His Catholick Majesty dispenses in favour of this Asiento, with all Laws, &c. contrary hereto for 30 Years, and 3 Years more.

XLII. Y

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XLII. Y

XLII.  
Concede su  
Majestad Ca-  
tholica a la  
Compania, sus  
Agentes, Facto-  
res, y Ministros,  
todas las gracias,  
franquezas, y  
privilegios con-  
cedidos en los  
Asientos pre-  
cedentes.

XLII.  
Y finalmente concede su  
Majestad a dichos Assentistas,  
sus Agentes, Factores, Mini-  
stros, Oficiales, Politicos, y  
Militares, assi en Mar, como  
en Tierra, todas las gracias,  
franquezas, privilegios, y ex-  
empciones, que se huvieren  
concedido en los Asientos  
precedentes, qualesquiera que  
sean, sin ninguna restricción,  
ni limitacion, en quanto no  
se oponga a lo prevenido, y  
expressado en las condiciones  
antes de esta ; las quales se  
obligan los Assentistas as-  
simismo de cumplir, y ejecu-  
tar, integra, y puntualmente.

Demas de las expressadas  
condiciones, capituladas por  
la Compania de Inglaterra,  
su Magestad Catholica, atendi-  
endo a las perdidas, que han  
tenido los Assentistas antece-  
dentes, y con la expressa ca-  
lidad de que no ha de hazer,  
ni intentar la referida Com-  
pania comercio alguno illici-  
to, directa, ni indirectamente,  
introducirla debaxo de nin-  
gun pretexto ; y para mani-  
festar a su Magestad Britanica  
quanto desea su Magestad  
Catholica complacerla, y asi-  
anar mas la estrecha, y buena  
correspondencia, ha sido ser-  
vido de venir, por su Real  
Decreto de doze de Março  
de este presente año, en con-  
ceder a la Compania de este

coming, after the Expiration  
of the Thirty three Years  
thereof.

XLII.  
And finally His Majesty  
grants to the said Assentists,  
their Agents, Factors, Mini-  
sters, Officers Civil and mili-  
tary, aswell at Sea as at Land,  
all the Favours, Freedoms,  
Privileges, and Exemptions,  
that have ever been granted  
to any former Assentists,  
without any Restriction or  
Limitation, so far as they  
are not contrary to what is a-  
greed and expressed in the  
foregoing Articles, which the  
Assentists do likewise oblige  
themselves to accomplish  
and execute entirely and pun-  
ctually.

Besides the foregoing Ar-  
ticles Stipulated on behalf  
of the *English* Company, His  
Catholick Majesty, consider-  
ing the Losses which for-  
mer Assentists have sustained,  
and upon this Express Con-  
dition, that the said Com-  
pany shall not carry on, nor  
attempt any unlawful Trade  
directly nor indirectly, under  
any pretence whatsoever, and  
to manifest to Her Britannick  
Majesty how much he de-  
sires to pleasure Her, and to  
confirm more and more a  
strict and good correspon-  
dence, has been pleas'd by  
His Royal Decree of the 12th  
of *March*, in this present  
Year, to allow to the Compa-  
ny of this Assiento, a Ship of  
Assi-

XLII.  
His Catholick  
Majesty  
grants to the  
Company all  
Favours, Free-  
doms, and  
Privileges  
granted in any  
former Assen-  
tos.

Additional  
Article.

On condition  
that the Com-  
pany shall not  
attempt any  
unlawful  
Trade, His  
Catholick Ma-  
jesty grants,  
during the 30  
Years, a Ship  
of 500 Tons  
yearly to trade  
withal to the  
*West-Indies*, His  
Majesty to be  
concern'd ;  
and to have  
5 per Cent. on  
the gain made  
on the other ;  
who Merchan-  
disse to be free  
of all Duties in  
the *Indies*, and  
to be sold only  
at the times of  
holding the  
Fairs, and in

Asiento, vn Navio de quinientas toneladas, en cada vn año, de los treinta preferidos en él, para que pueda comerciar à las Indias, en que igualmente ha de gozar su Magestad Catholica de la quarta parte del beneficio de la ganancia, como en el Asiento, y demás de esta quarta parte ha de percibir asimismo su Magestad Catholica vn cinco por ciento de la liquida ganancia de las otras tres partes, que tocaren a Inglaterra, con expressa condicion de que, no se podrán vender los generos, y mercaderias, que llevare cada Navio de estos, sino es solo en el tiempo de la Feria; y si qualquiera de ellos llegare à Indias antes que las Flotas, y Galeones, serán obligados los Factores de la Compania à desembarcar los generos, y mercaderias que conduxere, y almacenarlas debaxo de dos llaves, que la vna ha de quedar en poder de Oficiales Reales, y la otra en el de los Factores de la Compania, para que los generos, y mercaderias referidas solo puedan venderse en el expressado tiempo de la Feria, libres de todos derechos en Indias.

Y porque mi voluntad es, que todo lo contenido en cada vna de los capitulos, y condiciones expressadas en el pliego arriba inserto, y la que va por final del, añadida de mi pro-

Five hundred Tons Yearly, during the Thirty Years of its Continuance, to Trade therewith to the Indies, in which His Catholick Majesty is to partake a Fourth part of the Gain, as in the Asiento, besides which Fourth, His Catholick Majesty is to receive 5 per Cent. out of the neat Gain of the other Three parts which belong to England, upon this Express Condition, that they may not sell the Goods and Merchandizes, which each of those Ships shall carry, but only at the time of the Fair; and if any of these Ships shall arrive in the Indies, before the Flotas and Galeons, the Factors of the Asiento shall be oblig'd to land the Goods and Merchandize (with which they shall be laden) and put them into Ware-houses that shall be locked with two Keys, one of which to remain with the Royal Officers, and the other with the Factors of the Company, to the end the said Goods and Merchandize may be sold during the Continuance of the said Fair only; and they are to be free of all Duties in the Indies.

the mean while to be kept in Ware-houses, under Care of the King's Officers and the Asientists.

And whereas My Will and Pleasure is, That all that is contained in each of the Articles and Conditions (expressed in the above Draught herein inserted) and that which is the last

Conclusion:

pio motu, y voluntad, ten- ga cumplido efecto: Por la presente le apruebo, y ratifico, y mando se guarde, cumpla, y execute literalmente en todo, y por todo, como en él, y en cada vno de sus capitulos se contiene, y declara; y que contra su tenor, y forma no se vaya, ni se paffe, ni consienta ir, ni passar en manera alguna, dispensando (como por esta vez dispenso) todas las leyes, y prohibiciones, que huviere en contrario; y prometo, y aseguro por mi fee, y palabra Real, que cumplendose por parte de la Compañia de Inglaterra con lo que la toca, y es obligada, se cumplirá de la mia lo Contratado; para cuya firmeza se ha otorgado por Millord Lexington, Ministro de su Magestad Britanica en esta Corte, la escriptura, y aceptacion de este Contrato, correspondiente à su entero cumplimiento, y validacion; la qual en consecuencia de mi Real orden se ha hecho por la Escribania de Camara de mi Consejo de las Indias en veinte y seis del presente mes, y año. Y quiero, que para la execucion de todo lo expresado en este Assiento se expidan à su tiempo todas las Cédulas, Despachos, y Ordenes correspondientes al entero efecto, y cumplimiento del, y de la presente toma-

of all ( being added thereto of My own free Will ) should have its full Effect, I do by these Presents Approve and Ratify the same, and Command that it be Observed, Fulfilled and Executed, literally, in the whole and throughout, according to the Contents of it, and of every Article thereof, and what is therein Declared, and that nothing be Done or Acted, or be any ways suffered to be Done or Acted, contrary to the Tenor and Form thereof, dispensing (as I do for this time dispense) with all Laws and Prohibitions that may be contrary thereunto; and I promise and assure, upon My Faith and Royal Word, that provided the Company of *England* perform this Contract on their part, so far as concerns them, and as they are obliged, I will perform it on My part: In Witness whereof I have granted to the Lord *Lexington*, Her Majesty of *Great Britain's* Minister in this Court, the present Writing and Acceptance of this Contract, corresponding with its entire Performance and Validity; which, in pursuance of My Royal Command, has been made out by the Register's Office of the Chamber of My Council of the *Indies*, the Twenty sixth Day of this

ran:

Conclusion:

rán la razón los Contadores de Quentas, que residen en el dicho mi Consejo. Fecha en Madrid a veinte y seis de Março de mil setecientos y treze.

present Month and Year, and I Will, that for the Execution of all that is mentioned in this Assiento, all the Cédulas, Dispatches and Orders, requir'd for the entire Effect and Fulfilling thereof, be Issued in their proper Time: And the Comptrollers of Accounts, who attend My said Council, are to take notice of these Presents. Given at Madrid the Twenty sixth Day of March. One thousand seven hundred and thirteen.

**YO EL REY.**

**I THE KING.**

Por Mandado del Rey nuestro señor,

By the Command of Our Lord the King,

Don Bernardo Tinaguero de la Escalera.

Don Bernardo Tinaguero de la Escalera.

U. M. aprueba y ratifica el Asiento Ajustado con la Compañía de Inglaterra, sobre la Introduzion de Esclaves Negros en Indias, por tiempo de treinta años, en la forma que se expresa en las Condiciones arriba insertas.

Your Majesty does hereby Approve and Ratify the Assiento Adjusted with the Company of England, for the Importation of Negro Slaves into the Indies, for the Term of Thirty Years, in the manner mentioned in the Articles above inserted.

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